

Karen O. Moury
717 237 4820
karen.moury@bipc.com

409 North Second Street
Suite 500
Harrisburg, PA 17101-1357
T 717 237 4800
F 717 233 0852
www.buchananingersoll.com

June 2, 2016

VIA E-FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Bureau of Investigation and Enforcement v. Uber Technologies, Inc., *et al.*
Docket No. C-2014-2422723

Dear Secretary Chiavetta:

On May 25, 2016, Uber Technologies, Inc., *et al.* (“Respondents”), timely filed a Petition for Rehearing and Reconsideration and a Petition for Supersedeas, in the above-captioned matter. In the Petition for Supersedeas, Respondents respectfully requested that the Commission stay the effectiveness of the Order entered on May 10, 2016 pending resolution of the Petition for Rehearing and Reconsideration and any subsequent appellate proceedings, as well as any required Commission proceedings on remand. Noting that payment of the civil penalty is due on June 9, 2016, Respondents further requested that the Commission grant relief in the form of a stay sufficiently prior to that time to make a filing with Commonwealth Court unnecessary.

By this letter, Respondents respectfully ask that, in the alternative to staying the effectiveness of the May 10, 2016 Order, the Commission act prior to its scheduled public meeting on June 9, 2016 to grant an extension of the due date for payment of the civil penalty.¹ Even if the Commission would ultimately adopt an order staying the effectiveness of the May 10, 2016 Order or extending the payment due date on June 9, 2016, it will be necessary for Respondents to file a Petition for Supersedeas with Commonwealth Court prior to that time. Also, in the event that Respondents are required to make the civil penalty payment by June 9, 2016, at least a few days are needed to address the internal logistics of making such a payment.

¹ Respondents note that in *Pa. PUC v. HIKO Energy, LLC*, Docket No. P-2015-2519419, the Commission issued a Secretarial Letter on December 23, 2015, extending the deadline for payment of a civil penalty while it addressed the company’s Petition for Supersedeas that was filed on December 18, 2015.

As to the Petition for Rehearing and Reconsideration, Respondents note that the deadline for filing a Petition for Review with Commonwealth Court is the same date as the Commission's scheduled public meeting of June 9, 2016. Given that tight timeframe, Respondents respectfully request that the Commission consider issuing a short form order prior to that date if it is inclined to grant reconsideration pending a review of the merits. Such action would enable Respondents to defer additional work at this time on the Petition for Review and focus on the business of providing transportation network company operations to the traveling public in Pennsylvania.

Copies have been served on all parties as indicated in the attached Certificate of Service. Additionally, hard copies have been hand-delivered to the Commissioners and key staff, as noted below.

Sincerely,



Karen O. Moury

KOM/bb

Enclosure

cc: Certificate of Service
Chairman Brown
Vice Chairman Place
Commissioner Coleman
Commissioner Powelson
Executive Director Freeman
Director of Regulatory Affairs Osborne
Chief Counsel Pankiw
Bureau Director Walker Davis

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
INVESTIGATION AND ENFORCEMENT**

v.

UBER TECHNOLOGIES, INC.

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Docket No. C-2014-2422723

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

Via Hand Delivery

Michael L. Swindler, Esquire
Stephanie M. Wimer, Esquire
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
400 North Street
2nd Floor, F West
Harrisburg, PA 17105-3265
mwindler@pa.gov
stwimer@pa.gov

Dated this 2nd day of June, 2016.



Karen O. Moury, Esq.