**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Rasier-PA LLC, a limited liability : A-2015-2469287

company of the State of Delaware for amendment :

to its common carrier certificate, which grants the :

right to transport by motor vehicle persons in :

experimental service of ride-sharing network for :

passenger trips between points in Pennsylvania, :

excluding those which originate or terminate in the :

counties of Beaver, Clinton, Columbia, Crawford, :

Lawrence, Lycoming, Mercer, Northumberland and :

Union so as to permit the inclusion of the counties :

of Beaver, Clinton, Columbia, Crawford, Lawrence, :

Lycoming, Mercer, Northumberland and Union, :

which would allow the transportation of persons :

between all points in Pennsylvania, excluding :

service which is under the jurisdiction of the :

Philadelphia Parking Authority :

**INTERIM ORDER**

**ON SECOND REQUEST FOR A GENERAL CONTINUANCE**

On February 27, 2015, Rasier-PA LLC (Applicant), a transportation network company, filed an application to expand the service territory of its experimental service to include passenger trips between points in Beaver, Clinton, Columbia, Crawford, Lawrence, Lycoming, Mercer, Northumberland and Union counties, which were excluded from the state‑wide experimental authority granted by the Commission on December 5, 2014 at Docket No. A‑2014-2424608. The application was advertised in the *Pennsylvania Bulletin* on March 21, 2015.[[1]](#footnote-1) The notice stated that protests must be filed on or before April 6, 2015.

On March 25, 2015, MTR Transportation, Inc., t/d/b/a/ K-Cab Co. (MTR) and Billtown Cab Co., Inc. (Billtown) (collectively, Protestants), filed protests to the application. On April 27, 2015, the Applicant filed preliminary objections seeking dismissal of the protests on the basis of legal insufficiency, lack of standing and insufficient specificity. The Protestants filed answers on May 6, 2015. By interim order dated June 18, 2015, the preliminary objections were dismissed. Thereafter the application was scheduled for a hearing on October 14, 2015.

On October 5, 2015, the Applicant filed a motion for a continuance. The Applicant explained that the General Assembly is considering a number of bills related to transportation network companies. Therefore, Rasier proposed to hold consideration of this application in abeyance pending the passage of legislation at some point in the future. The Protestants did not oppose the request for continuance. Therefore, by order dated October 5, 2015, the continuance was granted and the parties were directed to file status reports every 60 days.

No status reports were filed. On August 10, 2016, we issued an interim order terminating the stay. We noted that at that time, although the General Assembly had considered transportation network company legislation, no law has been passed as of yet. Accordingly, given the passage of time, we direct the Applicant to either withdraw its application, resolve its differences with the Protestants, or move forward to pursue the authority requested under existing standards. The parties conferred and an evidentiary hearing was scheduled for December 15, 2016.

On November 4, 2016, the Governor signed into law Act 164, which amended the Public Utility Code to provide for the licensing of transportation network companies. That legislation also directed the Commission to develop regulations accordingly.

By letter dated December 6, 2016, the parties requested a further indefinite postponement of the hearing regarding the 2015 application. By this order, as set forth in the ordering paragraphs below, we will convert the December 15, 2016 evidentiary hearing to a prehearing conference. The parties shall be prepared to discuss the status of any discovery that has been exchanged to date and the specific issues that the parties are prepared to litigate. The parties shall also be prepared to discuss whether the significant changes to the regulatory landscape regarding transportation network companies render the current application stale.

THEREFORE,

IT IS ORDERED:

1. That the evidentiary hearing scheduled for Thursday, December 15, 2016 at 10:00 a.m. shall be converted to a prehearing conference.

2. That to participate in the conference, the parties must dial the toll-free number listed below. You will be prompted to enter a PIN number, which is also listed below. You will be asked to speak your name and then the telephone system will connect you to the hearing.

Toll-free Bridge Number: 1-877-750-1027

PIN Number: 341525

Mary D. Long

Administrative Law Judge

Date: December 8, 2016

Jeffrey A. Watson

Administrative Law Judge

**A-2015-2469287 - APPLICATION OF RASIER-PA LLC, A LIMITED LIABILITY COMPANY OF THE STATE OF DELAWARE FOR AMENDMENT TO ITS COMMON CARRIER CERTIFICATE, WHICH GRANTS THE RIGHT TO TRANSPORT BY MOTOR VEHICLE PERSONS IN EXPERIMENTAL SERVICE OF RIDE-SHARING NETWORK FOR PASSENGER TRIPS BETWEEN POINTS IN PENNSYLVANIA, EXCLUDING THOSE WHICH ORIGINATE OR TERMINATE IN THE COUNTIES OF BEAVER, CLINTON, COLUMBIA, CRAWFORD, LAWRENCE, LYCOMING, MERCER, NORTHUMBERLAND AND UNION SO AS TO PERMIT THE INCLUSION OF THE COUNTIES OF BEAVER, CLINTON, COLUMBIA, CRAWFORD, LAWRENCE, LYCOMING, MERCER, NORTHUMBERLAND AND UNION, WHICH WOULD ALLOW THE TRANSPORTATION OF PERSONS BETWEEN ALL POINTS IN PENNSYLVANIA, EXCLUDING SERVICE WHICH IS UNDER THE JURISDICTION OF THE PHILADELPHIA PARKING AUTHORITY**

***Revised 9/9/16***

ALAN M SELTZER ESQUIRE

JOHN F POVILAITIS ESQUIRE

BUCHANAN INGERSOLL & ROONEY PC

409 NORTH SECOND STREET

SUITE 500

HARRISBURG PA 17101-1357

**717.237.4862**

*Representing Raiser-PA LLC*

***Accepts e-Service***

LLOYD R PERSUN ESQUIRE

PERSUN AND HEIM PC

PO BOX 659

MECHANICSBURG PA 17055-0659

**717-620-2440**

*Representing Billtown Cab Co., Inc.;*

*MTR Transportation Inc.,*

*t/d/b/a K-Cab Co.*

***Accepts e-Service***

1. 45 Pa.B. 1474 (2015). [↑](#footnote-ref-1)