

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE  
STATE OF CALIFORNIA**

Order Instituting Rulemaking on Regulations  
Relating to Passenger Carriers, Ridesharing,  
And New Online Enabled Transportation  
Services

R.12-12-011

**REPLY COMMENTS OF SAN FRANCISCO INTERNATIONAL AIRPORT  
AND THE SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY TO  
PHASE III.B SCOPING MEMO AND RULING OF ASSIGNED COMMISSIONER**

**TRACK 2 – UBER’S STATUS**

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We submit this reply to the opening comments of “Uber USA, LLC,” for the limited purpose of requesting that Assigned Commissioner Randolph direct further inquiry into whether Uber Technologies, Inc. (“UTI”), Uber USA and/or Rasier-CA, owns vehicles used by drivers to provide TNC services.

Specifically, § 4.1 of Uber USA’s current Technology Services Agreement (Attachment D to its opening comments) describes “Fares.” Within § 4.1, the following sentence calls into question whether vehicles used for the provision of TNC services are “personal vehicles,” as that term has been defined and refined in these proceedings:

“If you have agreed to any other amounts being deducted from your Fares with any party (such as vehicle financing or lease payments, or mobile device charges), those amounts will be deducted before remittance to you, and we may determine the order of these other deductions if allowed by law.”<sup>1</sup>

It is unclear whether UTI, Uber USA, Rasier-CA or any other company under the Uber umbrella acts as a lessor or financier of vehicles to drivers; or whether this is a reference to an arrangement for Uber, USA to deduct lease payments from drivers as a convenience to the drivers, which payments are then funneled to a company that is not under the Uber umbrella.

We request that the Assigned Commissioner direct UTI, Uber USA and Rasier-CA provide supplemental comments explaining why vehicle financing and/or leasing payments are deducted from drivers’ Fares and to whom the funds are ultimately paid. If the funds are paid to a business that is outside the Uber umbrella, we further request that UTI, Uber USA and Rasier-CA provide copies of all agreements between any entity under the Uber umbrella and each third party (such as an auto financing firm or car rental firm) receiving vehicle financing or lease payments deducted from Fares, as described in § 4.1. Finally, we request that the Assigned Commissioner require that unredacted copies of all such documents be filed and served on all parties in this proceeding.

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<sup>1</sup> Emphasis added.

Dated: June 15, 2017

Respectfully submitted,

By: \_\_\_\_\_ /s/  
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By: \_\_\_\_\_ /s/  
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