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

Docket No. R.12-12-011

**PREHEARING CONFERENCE STATEMENT
SAN FRANCISCO AIRPORT COMMISSION**

This Prehearing Conference Statement is submitted on behalf of the San Francisco Airport Commission (“SFO”) and addresses the issues as set forth on page 2 of Judge Mason’s Ruling Setting a Prehearing Conference, dated February 4, 2013.

1. Identification of the specific factual and legal issues that the Commission needs to decide in this case.

Legal Issues

- a. Are Lyft, Sidecar, Uber and other ride services that are arranged through smart phone applications, where a passenger is electronically charged a monetary fee in exchange for a ride, “charter-party carriers” under Public Utilities Code § 5360?
- b. If Lyft, Sidecar, Uber and other ride services that are arranged through smart phone applications, where a passenger is electronically charged a monetary fee in exchange for a ride are not “charter-party carriers” under Public Utilities Code § 5360, are they taxicabs, which may be regulated through city and county ordinances under PUC § 5353(g)?
- c. If Lyft, Sidecar, Uber and other ride services that are arranged through smart phone applications, where a passenger is electronically charged a monetary fee in exchange for a ride, are neither “charter-party carriers” nor taxicabs, may airports nevertheless

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regulate them in the same manner they regulate commercial passenger vehicles operating on airport property?

Disputed Factual Issues

Whether Lyft, Sidecar, Uber and other ride services arranged through smart phone applications, where a passenger is electronically charged a monetary fee in exchange for a ride, are functionally different from taxis and limousines with respect to airport operations.

2. What material facts are disputed?

SFO has no further comment at this time, but reserves the right at amend its response to this inquiry.

3. What is the status of settlement discussions, if any?

SFO is not aware of any settlement discussions, other than the interim settlements between the Public Utilities Commission and Lyft and Uber.

4. Whether mediation conducted by a neutral Administrative Law Judge (ALJ), other than the assigned ALJ, would be helpful in resolving the disputed issues.

SFO has no position on this issue at this time, but reserves the right at amend its response to this inquiry.

5. Whether any discovery is needed and the anticipated date that discovery will be completed.

SFO has no position on this issue at this time, but reserves the right at amend its response to this inquiry.

6. Whether hearing are needed.

SFO has no position on this issue at this time, but reserves the right at amend its response to this inquiry.

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7. **If the parties believe that a hearing is needed, the estimated number of days required, and the number of witnesses that each side plans to present at the hearing.**

SFO has no position on this issue at this time, but reserves the right at amend its response to this inquiry.

8. **A proposed schedule for this case, including dates for completing discovery, filing prepared written testimony, and for hearing.**

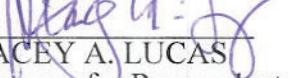
SFO has no position on this issue at this time, but reserves the right at amend its response to this inquiry.

9. **Party Status**

SFO requests that it be added as a part, though Tryg McCoy, Chief Operating Officer.

Dated: February 13, 2013

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