

CALIFORNIA PUBLIC UTILITIES COMMISSION
Consumer Protection and Enforcement Division
Advice Letter Summary Form

TNC & AL FILER INFORMATION

Date of Submission: 4/15/24	Date of Service: 4/15/24
TNC Name: Uber Technologies, Inc.	PSG #: 0038150-P
DBA Name: Uber Technologies, Inc.	
Address: 1725 Third Street	
City: San Francisco	State: CA
	ZIP Code: 94158
Filer's Name: Justine Woodland	
Filer's Email: jwoodland@uber.com	Filer's Phone: (650) 515-6166

AL INFORMATION

Advice Letter #: 23	AL Type: <input type="checkbox"/> Offset	<input checked="" type="checkbox"/> Exemption
Geographic Area(s): San Mateo		
Offset Amount: N/A	Quarter: 1	Year: 2024
Documents Included: <input checked="" type="checkbox"/> Cover letter <input checked="" type="checkbox"/> Service List <input type="checkbox"/> Training Declaration <input type="checkbox"/> Marketing Materials		
<input type="checkbox"/> Signed Accounting of Funds <input type="checkbox"/> Inspection Declaration <input checked="" type="checkbox"/> Data Reports (CSV)		
Reason (if not all document boxes above are marked):		

SUBMISSION INFORMATION

Combine (in this order) AL summary form, cover letter, service list, marketing materials, TNC WAV training declaration, TNC vehicle inspection declaration, and signed Accounting of Funds Expended, into a single PDF file. The completed data reports must be in separate CSV files. A complete advice letter submission will consist of the following attachments: the PDF and CSV files. Submit the advice letter via email with the attachments to TNCAccess@cpuc.ca.gov and to the [R.19-02-012 service list](#).

The cut off time to be considered filed the same day as submitted is 5:00 PM (Pacific Standard Time). Files submitted after 5:00 PM or on a non-business day will be considered filed on the following business day.

FOR CPUC USE ONLY

Analyst:	30-Day Due Date:
Completion Date:	Disposition:
Approved Offset/Retroactive Amount:	AL Effective Date:
Supervisor:	Supervisor Review Date:



Uber Technologies, Inc.
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uber.com

April 15, 2024
Uber Technologies, Inc.
PSG0038150
Advice Letter No. 23

California Public Utilities Commission
Consumer Protection and Enforcement Division
Transportation Licensing and Analysis Branch
505 Van Ness Avenue
San Francisco, CA 94102

Re: Uber Technologies, Inc. - Advice Letter No. 23 (Exemption)

Pursuant to Decision (D.) 20-03-007 and (D.) 21-11-004, Uber Technologies, Inc. (“Uber”) submits this Advice Letter No. 23 to request an **EXEMPTION** for San Mateo County for the following four quarters; Quarter 2 2024, Quarter 3 2024, Quarter 4 2024, and Quarter 1 2025, to be exempt from paying the fee required pursuant to Section 5440.5(a)(1)(B). The requested effective date is May 15, 2024 (30 days from date of filing).

Per D.20-03-007 and D.21-11-004, Uber provides the following information and documents in support of its request as indicated in the summary table below (including all counties for which the TNC seeks offsets for four consecutive quarters):

Criteria	Must Demonstrate	Satisfied Requirements (Y/N)
1. Presence and availability of WAVs¹	(a) the number of WAVs in operation - by quarter and aggregated by hour of the day and day of the week; (b) the unique number of WAVs in operation – by quarter and by hour of the day and day of the week; and (c) the number and percentage of WAV trips completed, not accepted, cancelled by passenger, cancelled due to passenger no-show, and cancelled by driver – by	Y

¹ D.20-03-007 Ordering Paragraph 1; D.23-02-024 Ordering Paragraph 11 and 12.

Criteria	Must Demonstrate	Satisfied Requirements (Y/N)
	<p>quarter and aggregated by hour of the day and day of the week;</p> <p>(d) the total WAV trips requested and completed broken out by Census Tract; and</p> <p>(e) operating hours for each geographic area</p>	
<p>2a. Improved level of service²</p>	<p>Both the Offset Time and the Trip Completion Standards are satisfied:</p> <p>(a)(1) Offset Time Standard & WAV Response Times³: Meet or exceed both the relevant Level 1 and Level 2 Response Time Benchmarks for a given quarter in a given geographic area within the Offset Response Time Benchmarks (ORTB). The schedule shall advance each quarter, regardless of whether a TNC submits an Offset Request in that quarter.</p> <p>(b.1) Trip Completion Standard⁴: Meet or exceed the applicable minimum percentage of trip requests completed, and</p> <p>(b.2) Either (i) a greater number of completed trips than in the immediately prior quarter, or (ii) a greater number of completed trips than in the immediately prior year's same quarter, if sufficient data is available. A TNC may elect to be compared to this prior quarter or prior year's same quarter, if applicable. The schedule shall advance each quarter, regardless of whether a TNC submits an Offset Request.</p>	<p>Y</p>

² D.21-11-004 Ordering Paragraph 1-3, 6, and 7.

³ D.21-11-004 Ordering Paragraph 1, 2, and 3.

⁴ D.21-11-004 Ordering Paragraph 6 and 7.

Criteria	Must Demonstrate	Satisfied Requirements (Y/N)
2b. Improved level of service (pre-scheduled WAVs)⁵	Both the Pickup Delay Benchmark and the Trip Completion Standards are satisfied: (a)(1) Pickup Delay Standard within the Pickup Delay Benchmark ⁶ : Meet or exceed both the relevant Response Time Benchmarks for a given quarter in a given geographic area within the Pre-scheduled Pickup Delay Benchmarks (PDB). The schedule shall advance each quarter, regardless of whether a TNC submits an Offset Request in that quarter. (b.1) Pre-scheduled Trip Completion Standard ⁷ : Meet or exceed the applicable minimum percentage of trip requests completed, and (b.2) Either (i) a greater number of completed trips than in the immediately prior quarter, or (ii) a greater number of completed trips than in the immediately prior year’s same quarter, if sufficient data is available. A TNC may elect to be compared to this prior quarter or prior year’s same quarter, if applicable. The schedule shall advance each quarter, regardless of whether a TNC submits an Offset Request.	N/A
3. Efforts to publicize and promote available WAV services⁸	Evidence of outreach efforts such as a list of partners from disability communities, how the partnership promoted WAV services, and marketing or promotional materials of those activities, including but not limited to: (a) Submitted an annual outreach plan (due no later than July 1 of each year), (b) Information about disability access and	Y

⁵ D.23-02-024 Ordering Paragraphs 1-5.

⁶ D.23-02-024 Ordering Paragraph 4.

⁷ D.23-02-024 Ordering Paragraph 5.

⁸ D.20-03-007 Ordering paragraph 9, and D.23-02-024 Ordering Paragraph 16.

Criteria	Must Demonstrate	Satisfied Requirements (Y/N)
	<p>WAV in general marketing campaigns, (c) Submit a quarterly report for each offset county on the following: Progress made towards implementing the outreach plan; The number of entities contacted; The method, nature, outcome of the contact; the number of partnerships developed; Efforts to publicize and promote WAV service in each offset and whether efforts were accessible to people with disabilities and limited English proficiency; Educational materials developed and distributed; and outcome of TNCs efforts to outreach and engage wheelchair users. Quarterly Report shall also address the following questions:</p> <ol style="list-style-type: none"> 1. What methods of engagement did the TNC find most effective and why? 2. What common concerns/questions came up during the engagement process? 3. What challenges have you encountered? How do you plan to overcome them? 	
<p>4. Full accounting of funds expended⁹</p>	<p>Qualifying offset expenses are:</p> <ol style="list-style-type: none"> (a) reasonable, legitimate costs that improve a TNC’s WAV service, and (b) incurred in the quarter for which a TNC requests an offset, and (c) on the list of eligible expenses attached as Appendix A, and (d) net of fare revenues collected from WAV service delivery in the quarter for which a TNC requests an offset¹⁰ 	<p>Y</p>

⁹ D.20-03-007 Ordering Paragraph 10.

¹⁰ D.21-11-004 Ordering Paragraph 9.

Criteria	Must Demonstrate	Satisfied Requirements (Y/N)
5. Training and inspections¹¹	(a) certification of WAV driver training completion within the past 3 years, ¹² (b) WAV driver training programs used per geographic area, and the number of WAV drivers that completed WAV training in that quarter, and (c) Certification of WAV inspection and approval	Y
6. Reporting complaints¹³	Number of complaints related to WAV drivers or services – by quarter and geographic area, and broken out by category ¹⁴	Y
7. Exemption Time Standard¹⁵	(a) 80 percent of its completed WAV trips meet or exceeded the corresponding Level 1 Offset Response Time Benchmarks for a given geographic area for four consecutive quarters, and (See Table B) (b) The TNC qualified for an offset in the given geographic area for the same four consecutive quarters. (See Table A)	Y

¹¹ D.20-03-007 Ordering Paragraph 13 and 15(f), 15(g), and 15(h).

¹² Must include: sensitivity training, passenger assistance techniques, accessibility equipment use, door-to-door service, and safety procedures, D.20-03-007, Ordering Paragraph 13.

¹³ D.20-03-007 Ordering Paragraph 14.

¹⁴ Categories include securement issue, driving training, vehicle safety and comfort, service animal issue, stranded passenger, pickup, drop off, and others, D.23-02-024, Ordering Paragraph 13.

¹⁵ See D.21-11-004 Ordering Paragraph 10.

Table A: Offset Eligibility

County	Offset Approved Q2 2023	Offset Approved Q3 2023	Offset Approved Q4 2023	Offset Approved Q1 2024 (current quarter)
San Mateo	Yes	Yes	Pending Approval ¹⁶	Pending Approval ¹⁷

Table B: Trip Completion Standard

County	% of trip requests that were completed Q2 2023	% of trip requests that were completed Q3 2023	% of trip requests that were completed Q4 2023	% of trip requests that were completed Q1 2024 (current quarter)
San Mateo	74.13%	77.45%	72.60%	74.46%

Table B: Exemption Time Standard -- 80% of Completed WAV trips have response times at least as fast as indicated below

County	Exemption Response Time Benchmark ¹ ₈	Q2 2023	Q3 2023	Q4 2023	Q1 2024 (current quarter)	Within Benchmark?
	Level 1 (mins)	Level 1 (mins)	Level 1 (mins)	Level 1 (mins)	Level 1 (mins)	
San Mateo	25	20.38	22.28	21.63	21.98	Yes

WAV Operating Hours

Any prospective passenger can request a WAV ride through Uber's app 24 hours a day, 7 days a week in all counties (each geographic area) throughout California.

¹⁶ Uber has requested an offset for San Mateo County for Quarter 4 of 2023 in Advice Letter 21, submitted January 16, 2024.

¹⁷ Uber has requested an offset for San Mateo County for Quarter 1 of 2024 in Advice Letter 22, submitted April 15, 2024.

¹⁸ See D.20-03-007 at 45-46 and D.21-11-004 Ordering Paragraph 10

I. Uber’s Exemption Request

Pursuant to Pub. Util. Code § 5440.5(a)(1)(G) and Section 3.2 of D.21-11-004, Uber requests an exemption from remitting Access Fund fees for San Mateo County.

D.21-11-004 specifies the following:

“[T]o qualify for an exemption, a TNC must demonstrate that: (a) 80 percent of its completed wheelchair accessible vehicle (WAV) trips met or exceeded the corresponding Level 1 Offset Response Time Benchmarks for a given geographic area for four consecutive quarters, and (b) The TNC qualified for an offset in the given geographic area for the same four consecutive quarters.”¹⁹

In San Mateo County, Uber has achieved an average response time at or better than the applicable Level 1 WAV response times for 80 percent of its completed WAV trips in each of the previous four consecutive quarters (Q2 2023, Q3 2023, Q4 2023, and Q1 2024). These response times for completed WAV trips are documented above in Table A and in the report titled “UBER_2024Q1_Exemption_Response_Times_6” and meet the qualifications for exemptions. Uber has also qualified for offsets in San Mateo County in Q2 2023 and Q3 2023 and has submitted offset requests for Q 4 2023 and Q1 2024 that are pending approval from CPED staff. Based on the qualifying response times, Uber’s qualification for offsets in San Mateo County, and the additional information described herein, Uber requests an exemption from remitting Access Fund fees for San Mateo County for Q2 2024, Q3 2024, Q4 2024, and Q1 2025.

* * * * *

In compliance with General Order 96-B, we served a copy of this advice letter via email upon the parties identified on the attached R.19-02-012 service list on April 15, 2024. If there are any questions regarding this advice letter, please contact Alex Larro at westregs@uber.com.

Any Party can protest or respond to this advice letter by sending a written protest or response via email to CPED at TNCAccess@cpuc.ca.gov. If submitting a protest, the protest must set forth the specific grounds on which it is based, including supporting information or legal arguments. A protest or response to the advice letter must be submitted to CPED within twenty (20) days of the date the advice letter was filed and must be served on the TNC on the same day.

Email a copy of the protest or response to this advice letter to Alex Larro at westregs@uber.com.

¹⁹ D.21-11-004 at 33.

April 15, 2024
Uber Technologies, Inc.
PSG0038150
Advice Letter No. 23

To obtain information about the CPUC's procedures for advice letters and protests, visit CPUC's website at www.cpuc.ca.gov to access a copy of General Order 96-B.

I HEREBY CERTIFY UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOLLOWING ATTACHMENTS HAVE BEEN EXAMINED BY ME AND IS TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Respectfully submitted,

/s/ Alex Larro

Alex Larro
Counsel, Regulatory
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Attachments:

1. Data Attachment in CSV format (Exemption Response Times)



California
Public Utilities
Commission



[CPUC Home](#)

CALIFORNIA PUBLIC UTILITIES COMMISSION Service Lists

PROCEEDING: R1902012 - CPUC - OIR TO IMPEM
FILER: CALIFORNIA PUBLIC UTILITIES COMMISSION
LIST NAME: LIST
LAST CHANGED: APRIL 8, 2024

[Download the Comma-delimited File](#)
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