

**ORDER NO. 87784**

IN THE MATTER OF THE PETITIONS OF \*  
RAISER, LLC AND LYFT, INC. FOR \*  
WAIVER OF PUBLIC UTILITIES \*  
ARTICLE SECTION 10-104(b) \*

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF MARYLAND

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CASE NO. 9425  
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**Issue Date: September 20, 2016**

On September 15, 2016, pursuant to Section 10-404(e) of the Public Utilities Article, *Annotated Code of Maryland* (“PUA”), Raiser, LLC (“Raiser”) filed a Petition to Waive Section 10-104(b) of the PUA for the transportation network operators who partner as drivers with Raiser with the Public Service Commission of Maryland (“Commission”).<sup>1</sup> In addition, on that same date, Lyft, Inc. (“Lyft”) also filed an application for waiver of the requirements set forth under PUA Section 10-104(b).<sup>2</sup> Both Raiser and Lyft filed supporting testimony with their respective Petitions. In the Petitions, Raiser and Lyft ask the Commission to waive PUA Section 10-104(b) requirements for fingerprint-based criminal background checks for Transportation Network Company drivers.

In the interest of efficiency for the Commission, its Technical Staff (“Staff”) and interested Parties, the Commission hereby consolidates review of the two Petitions into one proceeding as captioned above. Parties desiring to intervene in this proceeding shall file a petition to intervene by 5:00 p.m., Friday, October 7, 2016. An original and 17

<sup>1</sup> See ML 199284.

<sup>2</sup> See ML 199279. The Commission hereafter will refer to Lyft’s application as a “Petition.”.

copies plus one electronic copy<sup>3</sup> of any petition to intervene shall be filed with David J. Collins, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, 16th Floor, Baltimore, Maryland 21202.

A prehearing conference will not be conducted in this matter. Instead, the Commission hereby adopts the procedural schedule below for Parties who intervene and participate in this proceeding.

- Parties shall file testimony in this proceeding as follows:
  - (a) Staff, OPC (if desired), and Intervening Parties shall file Direct/Reply Testimony by October 25, 2016;

An original and 17 paper copies, and an electronic copy, of the testimony shall be submitted to David J. Collins, Executive Secretary, Maryland Public Service Commission, William Donald Schaefer Tower, 6 St. Paul Street, Baltimore, Maryland 21202. Five of the paper copies shall be three-hole punched.

- Evidentiary Hearings are scheduled as follows:
  - (a) November 17, 2016, beginning at 10:00 a.m.;
  - (b) November 18, 2016, beginning at 10:00 a.m.;
  - (c) November 21, 2016, beginning at 10:00 a.m.;
  - (d) November 22, 2016, beginning at 1:00 p.m. or ½ hour after completion of the Administrative Meeting, whichever is later; (if needed).

The Commission reserves the right to revise the hearing schedule, as needed.

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<sup>3</sup> The Commission encourages parties to use the Commission's "e-file" system for filing the electronic copy. Details of the "e-file" system are on the Commission's web page, [www.psc.state.md.us](http://www.psc.state.md.us). Additionally, five paper copies of the petition shall be three-hole punched.

Furthermore, the Commission will determine briefing dates(s) at the close of the evidentiary hearings.

Finally, discovery commences immediately for Raiser, Lyft, the Commission's Technical Staff, and the Office of People's Counsel ("OPC"). Discovery commences for intervenors upon Commission grant of intervention for those parties who file a petition to intervene.

- Responses to discovery requests are due within five business days of service, and any objections to discovery requests must be served within three business days.
- All discovery requests shall cease by November 8, 2016.
- Electronic service of discovery requests, responses and documents is sufficient so long as the recipient acknowledges actual receipt, which the responding party should obtain and maintain, and hard copies shall be made available if electronic service is not successful.

The parties should consult with each other and attempt in good faith to resolve all disputes prior to making an objection and again prior to filing a motion seeking relief from the Commission. In the event parties are unable to resolve a dispute, the aggrieved party may file a motion for relief within three business days from service of the written objection. The opponent shall respond to the motion within two business days of service of the motion. The motion and response shall be letter format, and shall each be limited in length to three single-spaced pages with a 12-point or greater font. The letters must specify the dates and times of all consultations for the purpose of resolving the dispute.

The parties shall contact the Executive Secretary via phone or email to schedule a hearing (if necessary) and shall provide the Executive Secretary an electronic copy of the motion and response.

**IT IS, THEREFORE,** this 20<sup>th</sup> day of September in the year Two Thousand Sixteen, by the Public Service Commission of Maryland,

**ORDERED:** (1) That proceedings as to the review of the Petitions for Waiver of Section 10-104(b) of the Public Utility Article, *Annotated Code of Maryland* are instituted by the Commission;

(2) That Parties shall abide by the procedural schedule adopted herein; and

(3) That discovery commences immediately for Raiser, Lyft, Staff, and OPC, and upon Commission grant of intervention for those parties who file a petition to intervene in this matter. All Parties shall abide by the discovery procedure as outlined in this Order.

By Direction of the Commission,

*/s/ David J. Collins*

David J. Collins  
Executive Secretary