

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



April 15, 2022

Stephanie Kuhlman  
Uber Technologies, Inc.  
1455 Market Street  
San Francisco, CA 94103

Subject: TNC Access for All Advice Letter AL 12

Dear Stephanie Kuhlman,

Pursuant to Decision D.20-03-007 and D.21-03-005, the Consumer Protection and Enforcement Division (CPED) of the California Public Utilities Commission has processed your recent Advice Letter (AL) filing and is returning an AL status certificate for your records. This status certificate indicates:

Advice Letter Number  
Name of Filer  
CPUC Corporate ID number of Filer  
Subject of AL Filing  
Date Filed  
Disposition of Filing (Approved, Rejected, Withdrawn, etc.)  
Amount of Approved Offsets by County  
Effective Date of Filing

CPED did not receive any protests against AL 12.

Please review your advice letter filing with the information contained in the attached AL status certificate and the Appendix for a description of the AL, protest, and staff's disposition. If you have any questions on this matter please contact CPED Staff via email at [tncaccess@cpuc.ca.gov](mailto:tncaccess@cpuc.ca.gov).

Sincerely,

A handwritten signature in cursive script that reads "Jeff Kasmar".

Program Manager, Consumer Protection and Enforcement Division

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## Advice Letter Status Certificate

**Status of Advice Letter 12  
As of April 15, 2022**

**Uber Technologies, Inc.**

TCP 38150  
Attention: Stephanie Kuhlman  
1455 Market Street  
San Francisco, CA 94103

Advice Letter Subject: **Offset for Q4 2021 in compliance with Decisions D.20-03-007 and D.21-03-005**

Division Assigned: Consumer Protection and Enforcement

Date Filed: 01-18-2022

**Disposition:** **Approved**  
**Effective Date:** **04-15-2022**  
**Approved Offsets:**

COUNTY	APPROVED OFFSETS \$	COUNTY	APPROVED OFFSETS \$
ALAMEDA	\$156,765.60	ORANGE	\$1,943.86
CONTRA COSTA	\$47,040.40	SAN FRANCISCO	\$417,338.90
LOS ANGELES	\$604,565.26	SAN MATEO	\$107,785.04
MARIN	\$6,103.34		

<b>TOTAL AMOUNT APPROVED</b>	<b>\$1,341,542.40</b>
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CPUC Contact Information: [tncaccess@cpuc.ca.gov](mailto:tncaccess@cpuc.ca.gov)

TNC Contact Information: Stephanie Kuhlman  
[stephanie.kuhlman@uber.com](mailto:stephanie.kuhlman@uber.com)

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## Appendix: Staff Review and Disposition

### Background

In accordance with D.20-03-007 and D.21-03-005, Uber Technologies, Inc. (Uber) filed advice letter (AL) 12 on January 18, 2022 to request offsets against quarterly Access Fund payments for amounts it spent during the Fourth Quarter (Q4) of 2021 to improve wheelchair accessible vehicle (WAV) service. No parties filed protests or responses.

To qualify for an offset in a geographic area, a Transportation Network Company (TNC) must provide the following in its quarterly advice letter filing: (1) presence and availability of WAVs, (2) improved level of service, (3) outreach efforts, (4) accounting of funds expended, (5) training and inspections, and (6) complaints related to WAV service. D.21-03-005 added the Trip Completion Standard as an additional component of demonstrating the improved level of service. Table 1 below summarizes the evaluation criteria adopted in D.20-03-007 and D.21-03-005:

Table 1: Criteria for Evaluating Offsets

<b>Evaluation Criteria</b>	<b>Must Demonstrate</b>	<b>Satisfied By</b>
<b>1. Presence and availability of WAVs</b>	(a) the number of WAVs in operation - by quarter and aggregated by hour of the day and day of the week, and (b) the number and percentage of WAV trips completed, not accepted, cancelled by passenger, cancelled due to passenger no-show, and cancelled by driver – by quarter and aggregated by hour of the day and day of the week	Submission of the relevant data
<b>2. Improved level of service</b>	Both the Offset Time and the Trip Completion Standards are satisfied:  (a) (1) Either the Level 1 (50%) or Level 2 (75%) Offset Time Standard for a quarter in a geographic area, and (2) demonstrated improvement over the prior quarter's performance, and  (b) an increase in the total number of completed wheelchair accessible vehicle (WAV) trips compared to the previous quarter in that geographic area, or an increase in the percentage	Achievement of the Offset Time Standard <sup>1</sup> and Trip Completion Standard <sup>2</sup>

<sup>1</sup> D.20-03-007, Ordering Paragraphs 2, 3, and 4

<sup>2</sup> D.21-03-005, Ordering Paragraphs 1, 2, and 3

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Evaluation Criteria	Must Demonstrate	Satisfied By
	of completed WAV trips compared to the previous quarter in that geographic area	
<b>3. Efforts to publicize and promote available WAV services</b>	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	Submission of the relevant data
<b>4. Full accounting of funds expended</b>	Qualifying offset expenses are: (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 <sup>3</sup> attached as Appendix A	Submission of the relevant data
<b>5. Training and inspections</b>	(a) certification of WAV driver training completion within the past 3 years, <sup>4</sup> (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 <sup>5</sup>	Submission of the relevant data
<b>6. Reporting complaints</b>	(a) number of complaints related to WAV drivers or services – by quarter and geographic area, and broken out by category <sup>6</sup>	Submission of the relevant data

The Commission adopted standards for demonstrating improved level of service in D.20-03-007 and D.21-03-005 (see Table 2 below), but did not set qualifying standards for the five other evaluation criteria. **As long as a TNC satisfies both the Offset Time and Trip Completion Standards for improved level of service and submitted all the required data showing WAV presence and availability, outreach efforts, accounting of expended funds, training and inspections, and complaints related to WAV service, it is eligible to receive offsets and its advice letter will be approved.**

<sup>3</sup> D.20-03-007, Appendix A

<sup>4</sup> Must include: sensitivity training, passenger assistance techniques, accessibility equipment use, door-to-door service, and safety procedures, D.20-03-007, Ordering Paragraph 13.

<sup>5</sup> Should state that WAVs conform with the Americans with Disabilities Act Accessibility Specifications for Transportation Vehicles within the past year, D.20-03-007, Ordering Paragraph 13.

<sup>6</sup> Categories include securement issue, driving training, vehicle safety and comfort, service animal issue, stranded passenger, and others, D.20-03-007, Ordering Paragraph 14.

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Table 2: Interim WAV Response Times and Offset Time Standard

Geographic Area/County	Level 1 WAV Response Time (mins)	Level 2 WAV Response Time (mins)
San Francisco	15	30
San Diego, Santa Clara, Alameda, Sacramento, Contra Costa, Ventura, San Joaquin, Stanislaus, Santa Barbara, Solano, San Luis Obispo, Santa Cruz, Shasta, Imperial, Madera Los Angeles, Orange County, San Mateo	25	50
Riverside, San Bernardino, Fresno, Kern, Sonoma, Tulare, Monterey, Placer, Merced, Marin, Butte, Yolo, El Dorado, Napa, Humboldt, Kings, Nevada, Sutter, Mendocino, Yuba, Lake, Tehama, San Benito, Tuolumne, Calaveras, Siskiyou, Amador, Glenn, Del Norte, Lassen, Colusa, Plumas, Inyo, Mariposa, Mono, Trinity, Modoc, Sierra, Alpine	30	60

Offset Time Standard	Offset Service	Offset Service
April 2020 until subsequent Commission decision	50%	75%

	Must meet at least one of:	
Trip Completion Standard	Number of Completed Trips	Percentage of Completed Trips
Q2 2021 until Q2 2022	Improvement (higher) than prior quarter	Improvement (higher) than prior quarter

## Discussion

### A. Offset Requirements

To qualify for an offset, a TNC must demonstrate improved level of service by satisfying both the Offset Time Standard (OTS) and Trip Completion Standard (TCS) established in Decisions D.20-05-007 and D.21-05-003. Ordering Paragraph 4 in D.20-03-007 provides the requirements that must be satisfied to meet the OTS:

*To demonstrate improved level of service for offset eligibility, a Transportation Network Company (TNC) must demonstrate that it achieved either a Level 1 or Level 2 Offset Time Standard for a quarter in that implementation year. If a TNC received an offset in the prior quarter, the TNC must achieve an Offset Time Standard that exceeds the percentage achieved in the prior quarter in either, a Level 1 or a Level 2 Offset Time Standard.*

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This means that a TNC must demonstrate first that it meets either the Level 1 or 2 response time benchmark for that county (first test), and second, it must show improvement in the OTS percentage from the previous quarter (second test).

Ordering Paragraph 1 in D.21-03-005 added the TCS starting the second quarter of 2021, which requires a TNC to increase the number or percentage of completed WAV trips (third test):

*To show “improved level of service” for an Offset Request or an Exemption Request, a Transportation Network Company (TNC) must demonstrate either:*

*(a) an increase in the total number of completed wheelchair accessible vehicle (WAV) trips compared to the previous quarter in that geographic area, or*

*(b) an increase in the percentage of completed WAV trips compared to the previous quarter in that geographic area.*

**B. Review of Offset Requests**

Uber’s AL 12 requested offsets in Q4 2021 totaling \$1,341,542.40 in seven counties. Tables 3 and 4 below summarize the Q4 2021 Offset Time Standard (response times and OTS percentages), while Table 5 summarizes the Trip Completion Standard (percentages and numbers) reported for each geographic area eligible for offsets.

The review of AL 12 showed that Uber satisfied the first test as its response times in all seven counties meet either the Level 1 or 2 benchmark (see Table 3). Uber did not need to satisfy the second test, which is to show improvement in OTS, because Uber did not receive offsets in any of the seven counties in the previous quarter of Q3 2021 (see Table 4). Furthermore, Uber satisfied the third test as the number or percentage of completed trips in each of the seven counties improved from the previous quarter (see Table 5).

Finally, Uber satisfied the other requirements by submitting the required information regarding WAV presence and availability, outreach efforts, full accounting of funds expended, complaints related to WAV service, and training and inspections.

**C. Disposition of AL 12**

After review of AL 12, Staff concludes that Uber complied with the offset eligibility requirements in D.20-03-007 and in D.21-05-003 for the counties of Alameda, Contra Costa, Los Angeles, Marin, Orange, San Francisco, and San Mateo. Therefore, Uber’s AL 12 is approved, effective April 15, 2022. The approved total offset amount is \$1,341,542.40.

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Table 3: Uber's Level 1 and 2 Response Times (minutes) by County in Q4 2021

County	Benchmark (minutes)		Q4 2021 (minutes)		Within Benchmark?
	Level 1	Level 2	Level 1	Level 2	
ALAMEDA	25	50	15.5	19.93-22.93	Yes (Level 1 and 2)
CONTRA COSTA	25	50	19.68	23.27-25.87	Yes (Level 1 and 2)
LOS ANGELES	25	50	25.08	30.80-34.45	Yes (Level 1 and 2)
MARIN	30	60	25.63	30.43-32.68	Yes (Level 1 and 2)
ORANGE	25	50	11.62	15.08-15.45	Yes (Level 1 and 2)
SAN FRANCISCO	15	30	12.42	16.25-18.6	Yes (Level 1 and 2)
SAN MATEO	25	50	14.68	18.93-20.95	Yes (Level 1 and 2)

Table 4: Uber's Level 1 and 2 Offset Time Standards (percent) by County in Q4 2021

County	Q3 2021 (OTS %)		Q4 2021 (OTS %)		Demonstrated Improvement?
	Level 1	Level 2	Level 1	Level 2	
ALAMEDA	75.79	99.21	85.16	99.36	Not applicable*
CONTRA COSTA	-	-	76.56	98.44	Not applicable**
LOS ANGELES	-	-	49.62	96.83	Not applicable**
MARIN	-	-	64.71	100	Not applicable**
ORANGE	-	-	100	100	Not applicable**
SAN FRANCISCO	65.64	98.18	65.36	97.91	Not applicable*
SAN MATEO	89.53	99.66	89.22	100	Not applicable*

\* Uber requested offsets in these counties in the prior quarter of Q3 2021 but did not receive offsets as the standards were not satisfied. Therefore, the requirement to show improvement in OTS does not apply here.

\*\*Uber did not request and receive an offset in these counties in the prior quarter of Q3 2021. Therefore, the requirement to show improvement in OTS does not apply here.

Table 5: Uber's Trip Completion Standards by County in Q2 2021

County	Q3 2021 (TCS)		Q4 2021 (TCS)		Demonstrated Improvement?
	%	#	%	#	
ALAMEDA	45.14	1,268	63.04	1,402	Yes (% and #)
CONTRA COSTA	32.72	177	35.28	320	Yes (% and #)
LOS ANGELES	27.24	3,567	27.60	3,317	Yes (% only)
MARIN	27.78	15	42.50	17	Yes (% and #)
ORANGE	1.26	11	1.51	10	Yes (% only)
SAN FRANCISCO	78.88	1,042	75.44	1,247	Yes (# only)
SAN MATEO	58.96	296	63.22	306	Yes (% and #)