



RIM/nd3 1/27/2020

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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.

Rulemaking 12-12-011

**ADMINISTRATIVE LAW JUDGE'S RULING
DENYING MOTION OF UBER TECHNOLOGIES, INC. FOR
RECONSIDERATION OF THE DECEMBER 19, 2019
ALJ RULING ORDERING UBER TECHNOLOGIES, INC.
TO FILE AND SERVE ITS US SAFETY REPORT**

1. Background

In my *Ruling* of December 19, 2019, Uber Technologies, Inc. (Uber) was ordered to file in the docket of this proceeding a copy of its *US Safety Report* for 2017-2018 and to serve a copy or provide an electronic link to the parties on the service list in this proceeding by January 30, 2020.

Uber was also ordered to file and serve answers to the questions set forth in the *Ruling* by January 30, 2020.

On January 10, 2020, Uber filed its *Motion for Reconsideration* of the *Ruling* and raised four objections: (1) Uber objects to having to publicly disclose the specific details of every incident of sexual assault and sexual misconduct that allegedly occurred in connection with an Uber-facilitated trip in California in 2017, 2018, and 2019; (2) Uber objects that the *Ruling* fails to acknowledge the sensitivity of the information requested; (3) Uber claims that it was inappropriate for the *Ruling* to single out Uber; and (4) the *Ruling* unnecessarily directs Uber to

file and serve on the docket its *US Safety Report* because it is already a public document.

As a result of these objections Uber asks that the *Ruling* be revoked.

2. Discussion

Uber's *Motion for Reconsideration* is denied. While Uber claims it is concerned about having to publicly disclose the sensitive nature of sexual assaults and sexual misconduct, it is unclear why Uber did not file a motion for leave to file this information under seal as permitted by Rule 11.4 of the Commission's Rules of Practice and Procedure. This is an avenue that was available to Uber if it wanted to protect the identities and circumstances of alleged sexual assaults and sexual misconduct.

But there are other means at the Commission's disposal to protect the privacy interests of Uber passengers who claim to have experienced a sexual assault and or sexual misconduct. I order that Uber's answers to questions 2.4.1., 2.4.2., 2.4.3., and 2.4.4. be filed under seal. That way, the names and circumstances surrounding the alleged victims of sexual assaults and sexual misconduct that occurred in connection with an Uber-facilitated trip in California will remain confidential.

Uber's answers to the remaining questions in the *Ruling* shall not be filed under seal.

IT IS RULED that:

1. Uber's *Motion for Reconsideration* is denied.
2. Uber's answers to questions 2.4.1., 2.4.2., 2.4.3., and 2.4.4. shall be filed under seal.

3. Uber's answers to the remaining questions in the *Ruling* shall not be filed under seal.

Dated January 27, 2020, at San Francisco, California.

/s/ ROBERT M. MASON III

Robert M. Mason III
Administrative Law Judge