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08/11/22

09:42 AM

R1212011

**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

**ASSIGNED COMMISSIONER'S RULING EXTENDING TIME FOR TRANSPORTATION NETWORK COMPANIES TO SUBMIT THEIR 2022 ANNUAL REPORTS**

**1. Background**

Decision (D.) 13-09-045 required each Transportation Network Company (TNC) to submit an Annual Report by September 19, which covers a TNC's operations from September 1 through August 31 of each year. D.16-04-041 updated the reporting categories to a total of 19 sub report categories. Yet neither D.13-09-045 nor D.16-04-041 included a taxonomy for sexual assault and sexual harassment incidents, which resulted in TNCs utilizing different taxonomies that impacted the total number of sexual assault and sexual harassment incidents being included in their Annual Reports. As a result of these differences, D.22-06-029 adopted uniform definitions of sexual assault and sexual harassment for the TNCs to follow in preparing their 2022 Annual Reports.

But it has been brought to the Commission's attention that the new reporting requirements adopted by D.22-06-029 may require TNCs to expend more work to properly categorize and report sexual assault and sexual harassment incidents.

Both Lyft, Inc (Lyft) and Nomad Transit LLC (Nomad) claim in their letters to the Commission's Executive Director dated July 27, 2022 and August 2, 2022, respectively, that the newly adopted taxonomies differ from the ones Lyft and Nomad previously utilized and that as a result, they will have to adjust their mapping and coding protocols to ensure that their Annual Reports comport with D.22-06-029. As the new taxonomies were only recently adopted on June 23, 2022, both Lyft and Nomad ask for an extension of time beyond the current September 1 reporting deadline to submit the Assaults and Harassments portion of their 2022 Annual Reports, as an extension to submit its Total Violations and Incidents portions of their 2022 Annual Reports. On August 4, 2022, the Commission's Executive Director sent a letter granting Lyft's extension request.

## **2. Discussion**

In order to give all TNCs equal time to apply the new sexual assault and sexual harassment taxonomies adopted by D.22-06-029 to their 2022 Annual Reports, I am extending the reporting deadline for the 2022 Annual Reports from September 19, 2022 to November 18, 2022. That way, all TNCs will have additional time to submit the Assaults and Harassments portion of their 2022 Annual Reports, as well as the Total Violations and Incidents portions of their 2022 Annual Reports. My Ruling will, therefore, eliminate the need for TNCs to make individual extension order requests to the Commission's Executive Director pursuant to Rule 16.6 of the Commission's Rules of Practice and Procedure.

### **IT IS RULED that:**

1. The reporting deadline for the Assaults and Harassments portion of their 2022 Annual Reports, as well as the Total Violations and Incidents portions of their 2022 Annual Reports, is extended from September 19, 2022 to

November 18, 2022. Even with the extension, the reporting period for the 2022 Annual Report remains September 1, 2021 through August 31, 2022.

2. In making this Ruling, all TNCs are reminded to comply with the previously provided reporting parameters in completing their 2022 Annual Reports. Those requirements are as follows:

- Use the 2022 data templates and data dictionary posted on the Commission website at <https://www.cpuc.ca.gov/regulatory-services/licensing/transportation-licensing-and-analysis-branch/transportation-network-companies/required-reports-for-transportation-network-companies>. Read the data dictionary for guidance and clarification on the types of data that are required. In the data dictionary included with this message, items highlighted in red indicate changes from the 2021 Annual Report templates.
- Follow the format guidance from the data dictionary and data templates. Deviation from the data templates will result in a rejection of the submission and possible enforcement action for late filed Annual Reports.
- Transmit your Annual Reports to [Licensing\\_TNC@cpuc.ca.gov](mailto:Licensing_TNC@cpuc.ca.gov) using the CPUC's secure file transfer protocol (SFTP) service: <https://cpucftp.cpuc.ca.gov/>.

Dated August 11, 2022, at San Francisco, California.

/s/ Genevieve Shiroma  
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GENEVIEVE SHIROMA  
Assigned Commissioner