**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

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REPLY COMMENTS OF UBER TECHNOLOGIES, INC. ON PROPOSED DECISION ON PHASE 2 ISSUES FOR THE CLEAN MILES STANDARD PROGRAM

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I. INTRODUCTION

Pursuant to Rule 14.3 of the California Public Utilities Commission ("CPUC") Rules of Practice and Procedure, Uber Technologies, Inc. ("Uber") respectfully submits the below reply comments on the Proposed Decision on Phase 2 Issues for the Clean Miles Standard Program.

II. REPLY COMMENTS

1. The Rental Incentive Should be Consistent With the Phase 2 Staff Proposal, With Additional Details to be Set Forth in CSE's Advice Letter

Both the Center for Sustainable Energy ("CSE") and SEIU Locals 521, 721, and 1021 ("Locals") state that further clarity is needed regarding rental incentives. In many instances, this detail already has been provided in the Phase 2 Staff Proposal, which Uber urges the CPUC to formally adopt in the Phase 2 decision. Remaining details can be proposed by CSE in its advice letter submission, which would be filed within 90 days of issuance of the instant decision.[1]

Broadly, Uber offers the following comments on questions raised by CSE and Locals:

- Uber acknowledges that the Ride Clean Mass rental incentive has been increased to $200 per week for up to 8 weeks.[2] Uber believes, however, that the original framework of $100 per week for up to 4 weeks is, at the outset, more appropriate for CMS, as it would allow drivers to evaluate ZEVs without over-incentivizing rentals relative to purchase (and it would limit the number of drivers who enroll only for the rental benefit). There should also be an evaluation in the future, however, of any specific rental incentive amount.
- Consistent with the Phase 2 Staff Proposal, the rental incentive should allow drivers to use a portion of their upfront purchase incentive to subsidize a short-term ZEV rental,

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[1] See Proposed Decision, p. 39.

[2] For more information on the Ride Clean Mass program, see https://ridecleanmass.org/.

rather than adding a new incentive and increasing the DAP budget.[3] Any rental incentive thus would be deducted from any upfront purchase incentive the driver might receive. Indeed, as the Phase 2 Staff Proposal noted, the CMS upfront and ongoing financial incentives already represent "some of the most generous financial subsidies for ZEVs in the nation."[4] There is no practical or economic need to further increase these costs.

- Consistent with the Phase 2 Staff Proposal, the rental incentive should be available only to drivers who meet the income and minimum driving threshold eligibility requirements needed to receive the upfront and ongoing incentives.[5] This would ensure that incentives are limited to drivers who stand to provide the most benefit to the CMS program, and is consistent with the notion of not creating a new incentive with new eligibility criteria.
- Consistent with the Phase 2 Staff Proposal, drivers should be limited to one rental incentive; once the rental period ends, no further rental incentive should be allowed.[6]
- Drivers who receive an upfront purchase incentive should not be eligible to later receive a rental incentive. This would focus the incentive on transitioning new drivers to ZEVs, and it would be consistent with the rental incentive coming out of the upfront purchase incentive (i.e., once an upfront incentive is used, no money for that driver remains).
- Drivers who receive the rental incentive should not be eligible to receive the ongoing charging incentive at that time. Payment of the charging incentive should be limited to those instances where a driver has actually converted to a ZEV, to ensure that DAP monies remain focused on those drivers who stand to provide the most benefit to CMS.

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[3] Phase 2 Staff Proposal, pp. 33-38.

[4] Phase 2 Staff Proposal, p. 36.

[5] Phase 2 Staff Proposal, p. 37.

[6] Phase 2 Staff Proposal, p. 37.

- Drivers who own a ZEV, but do not use the ZEV on a TNC platform, should be eligible for a rental incentive if they otherwise would be eligible for upfront and ongoing DAP incentives, as set forth in the final DAP Implementation Plan.[7]

2. Uber Supports the Proposed Decision's Treatment of Multiple Incentives

Uber believes that the Proposed Decision's treatment of "current drivers" –which would allow drivers who have completed no more than 10% of DAP-qualifying trips in a ZEV within the past 12 months to seek DAP incentives–strikes an appropriate balance between ensuring that DAP funds are used to convert new drivers to ZEVs while also mitigating potentially inadvertent impacts (e.g., a driver becoming ineligible after receiving, and using, a rental incentive).

Locals' proposal to increase the percentage of qualifying trips to 50%, by contrast, would limit the ability of DAP to best incentivize new drivers to switch to ZEVs. Alternatively, CSE's opposition to any such exception would provide no flexibility. CSE's opposition also appears to be principally on the grounds that it may be difficult to verify driver eligibility.[8] While Uber cannot speak to any increased administrative burden on CSE's end, it would not be difficult for Uber to verify the number of trips taken in a ZEV within the established reporting period.[9]

CSE also states that drivers who currently lease ZEVs should be eligible to receive DAP incentives.[10] Uber, however, agrees with the Phase 2 Staff Proposal and the Proposed Decision that such drivers should not be eligible to receive DAP benefits.[11] A principal purpose of the DAP is to incentivize new drivers to transition to ZEVs, and drivers who already lease a ZEV

[7] See Rideshare Incentives for Driving Electric Program Implementation Plan (Aug. 3, 2026), pp. 37, 43.

[8] CSE's Opening Comments on Proposed Decision on Phase 2 Issues, pp. 4-5.

[9] See Rideshare Incentives for Driving Electric Program Implementation Plan (Aug. 3, 2026), pp. 47-48.

[10] CSE's Opening Comments on Proposed Decision on Phase 2 Issues, p. 5. In its Opening Comments on the Phase 2 Staff Proposal (see p. 3), by contrast, CSE was in favor of excluding current ZEV lessees on the grounds that such drivers "do not need additional support to transition to a ZEV."

[11] Phase 2 Staff Proposal, p. 40; Proposed Decision, p. 26.

(under whatever time period) do not need additional support to transition to a ZEV and are more likely to continue to drive a ZEV in the future. Given the high ambition of the CMS targets, the focus of DAP should remain focused on converting as many new ZEV drivers to TNC platforms as possible. For this same reason, Uber thinks it is premature to include exceptions for drivers who are involved in an accident, whose vehicles are recalled, or who otherwise lose access to their ZEV for reasons that are outside their control, as CSE suggests, at least at the outset of the DAP.[12] If circumstances warrant, however, such exceptions could be evaluated at a future time.

Finally, Uber generally agrees with CSE that drivers can receive up to four ongoing charging incentives, with eligibility renewing every 12 months.[13] After a first income eligibility determination, a driver retains eligibility for up to five years, after which they remain eligible for a charging incentive but must re-verify their income qualification.[14] To the extent the CPUC finds that any clarification in the Phase 2 decision is needed, Uber is supportive of revisions.[15]

3. Uber Supports the Proposed Decision's Clean Vehicle Notice Requirements

As noted in its opening comments, Uber remains supportive of the proposed decision to allow TNCs to implement clean vehicle requirements.[16] Practically, TNCs must be provided with the tools to comply with CMS targets and goals. If there is a concern with TNCs implementing clean vehicle requirements in the future, the discussion should focus on the feasibility of the CMS targets and goals in the first instance, not whether TNCs should be further inhibited.

Locals also continue to advocate for a clean vehicle notice requirement of at least nine

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[12] CSE's Opening Comments on Proposed Decision on Phase 2 Issues, p. 5.

[13] Rideshare Incentives for Driving Electric Program Implementation Plan (Aug. 3, 2026), p. 45.

[14] *Id.* at p. 101.

[15] In its Opening Comments on Proposed Decision on Phase 2 Issues, Uber suggested language intended to capture that drivers are eligible for up to four charging incentives, but its proposed revisions arguably do not reflect that the incentive does not need to be received in four consecutive years.

[16] Uber's Opening Comments on Proposed Decision on Phase 2 Issues, p. 8.

months.[17] The six-month notice period in the Proposed Decision[18], however, would more than sufficiently notify drivers of any impending clean vehicle requirements while still allowing TNCs some opportunity to react to shifting ZEV uptake and future CMS compliance. As is, even a six-month period would limit a TNC's ability to implement any clean vehicle requirements in advance of an impending CMS target. Requiring more than six months would make compliance more difficult, and in a worst case might result in a TNC preemptively noticing a clean vehicle requirement simply to preserve operational flexibility as future CMS deadlines approach.

Finally, Uber strongly opposes Locals' recommendation to require TNCs to file any notification of a clean vehicle requirement via a Tier 3 advice letter,[19] as opposed to a Tier 1 advice letter as set forth in the Proposed Decision.[20] This would introduce unwarranted agency review, considerably increase the amount of advance time a TNC needs to implement a clean vehicle requirement, and potentially undermine the ability of TNCs to meet the CMS targets. As Uber has stressed throughout the proceeding, clean vehicle requirements would be a last resort, but TNCs must reasonably be able to implement such measures if they become necessary.

Respectfully submitted this 17th day of August, 2026, in San Francisco, California.

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[17] Locals' Opening Comments on Proposed Decision on Phase 2 Issues, pp. 4-5.

[18] Proposed Decision, p. 31.

[19] Locals' Opening Comments on Proposed Decision on Phase 2 Issues, p. 5.

[20] Proposed Decision, p. 31.