

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



July 29, 2022

Janeé Weaver  
Lyft, Inc.  
185 Berry Street, Suite 5000  
San Francisco, CA 94107

Subject: TNC Access for All Advice Letter AL 8B

Dear Janeé Weaver,

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Disposition of Filing (Approved, Rejected, Withdrawn, etc.)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 8. The protest period was not reopened for supplemental AL 8A or AL 8B.

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 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".

Jeff Kasmar  
Program Manager, Consumer Protection and Enforcement Division

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## Advice Letter Status Certificate

**Status of Advice Letter 8B  
As of July 29, 2022**

**Lyft, Inc.**  
TCP 32513  
Attention: Janeé Weaver  
185 Berry Street, Suite 5000  
San Francisco, CA 94107

Advice Letter Subject: **Offset for Q2 2021 in compliance with Decisions D.20-03-007 and D.21-03-005**

Division Assigned: Consumer Protection and Enforcement

Date Filed: 07-01-2022

**Disposition:** **Approved**  
**Effective Date:** **07-29-2022**  
**Approved Offsets:**

COUNTY	APPROVED OFFSETS \$
SAN FRANCISCO	\$190,657.50

<b>TOTAL AMOUNT APPROVED</b>	<b>\$190,657.50</b>
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CPUC Contact Information: [tncaccess@cpuc.ca.gov](mailto:tncaccess@cpuc.ca.gov)

TNC Contact Information: Janeé Weaver  
[jweaver@lyft.com](mailto:jweaver@lyft.com)

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## Appendix: Staff Review and Disposition

### Background

In accordance with D.20-03-007 and D.21-03-005, Lyft, Inc. (Lyft) filed advice letter (AL) 8 on July 15, 2021 to request offsets against quarterly Access Fund payments for amounts it spent during the Second Quarter (Q2) of 2021 to improve wheelchair accessible vehicle (WAV) service. No parties filed protests or responses. On July 7, 2021, in compliance with the new Trip Completion Standard established in D.21-03-005, CPED staff prepared new Offset templates the TNCs must utilize effective starting Q2 2021 and thereafter for all Offset and Exemption Requests,. However, given that the Advice Letters were due July 15, CPED staff extended the deadline to August 30, 2021. On August 26, 2021, Lyft submitted AL 8A to comply with CPED Staff's requests, On April 11, 2022, Assigned Commissioner issued Track 5A Ruling on issues related to data submission for pre-scheduled trips. On July 1, 2022, Lyft filed supplement 8B to comply with the April 2022 Commissioner's Ruling, which removed pre-scheduled trips from its offset request and reported these data separately. This disposition evaluates Lyft's compliance with offset requirements based on the dataset that removes pre-scheduled trip data.

To qualify for an offset in a geographic area, a Transportation Network Company (TNC) must provide the following for its on-demand trips 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 effective Q2 2021. Table 1 below summarizes the evaluation criteria adopted in D.20-03-007 and D.21-03-005:

Table 1: Criteria for Evaluating Offsets

Evaluation Criteria	Must Demonstrate	Satisfied By
<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:	Achievement of the Offset Time Standard <sup>1</sup> and Trip

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

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Evaluation Criteria	Must Demonstrate	Satisfied By
	<p>(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</p> <p>(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 of completed WAV trips compared to the previous quarter in that geographic area</p>	Completion Standard <sup>2</sup>
<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>	<p>Qualifying offset expenses are:</p> <p>(a) reasonable, legitimate costs that improve a TNC's WAV service, and</p> <p>(b) incurred in the quarter for which a TNC requests an offset, and</p> <p>(c) on the list of eligible expenses<sup>3</sup> attached as Appendix A</p>	Submission of the relevant data
<b>5. Training and inspections</b>	<p>(a) certification of WAV driver training completion within the past 3 years,<sup>4</sup></p> <p>(b) WAV driver training programs used per geographic area, and the number of WAV drivers that completed WAV training in that quarter, and</p> <p>(c) Certification of WAV inspection and approval<sup>5</sup></p>	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

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

<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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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 it 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.**

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
Effective Q2 2021 to Q2 2022	Improvement (higher) than prior quarter	Improvement (higher) than prior quarter

## Discussion

### A. Offset Requirements

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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.20-03-007 and D.21-05-003. Ordering Paragraph 4 in D.20-03-007 sets forth 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.*

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), if applicable.

Ordering Paragraph 1 in D.21-03-005 added the TCS, effective 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**

Lyft's AL 8B requested offsets in Q2 2021 totaling \$190,657.50 in one county (San Francisco). Tables 3 and 4 below summarize the Q2 2021 Offset Time Standard (response times and OTS percentages), while Table 5 summarizes the Trip Completion Standard (percentages and numbers) for each geographic area eligible for offsets.

The review of AL 8B showed that Lyft satisfied the first and second tests as its response times in San Francisco met either the Level 1 or 2 benchmark (see Table 3) and its OTS percentages improved from the prior quarter of Q1 2021 (see Table 4). It also satisfied the third test as the number or percentage of completed trips improved from the previous quarter (see Table 5).

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Finally, Lyft 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 8B

After review of AL 8B, Staff concludes that Lyft complied with all the offset eligibility requirements in D.20-03-007, D.21-05-003 and Commissioner's Track 5A Ruling for the county of San Francisco. Therefore, Lyft's AL 8B is approved, effective July 29, 2022. The approved total offset amount is \$190,657.50.

Table 3: Lyft's Level 1 and 2 Response Times (minutes) by County in Q2 2021

County	Benchmark (minutes)		Q2 2021 (minutes)		Within Benchmark?
	Level 1	Level 2	Level 1	Level 2	
SAN FRANCISCO	15	30	13.45	17.24	Yes (Level 1 and 2)

Table 4: Lyft's Level 1 and 2 Offset Time Standards (percent) by County in Q2 2021

County	Q1 2021 (OTS %)		Q2 2021 (OTS %)		Demonstrated Improvement?
	Level 1	Level 2	Level 1	Level 2	
SAN FRANCISCO	52.80	97.60	61.70	98.10	Yes (Level 1 and 2)

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

County	Q1 2021 (TCS)		Q2 2021 (TCS)		Demonstrated Improvement?
	%	#	%	#	
SAN FRANCISCO	88.03	125	90.06	154	Yes (% and #)