

# **ATTACHMENT G**



San Francisco International Airport

May 9, 2014

Michael R. Peevey, President  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

Dear President Peevey,

I am writing to request the assistance of the CPUC in enforcing its September 23, 2013 Decision (the "Decision")<sup>1</sup> and Transportation Network Company ("TNC") permits. Over the past month, we have been collecting data concerning TNC operations on the roadways of San Francisco International Airport ("SFO" or the "Airport"). What we have found is that not only are the TNCs operating on Airport property without an SFO TNC permit (in violation of the Decision), they are also doing so in violation of the CPUC permit. Most TNC vehicles operate without trade dress and without proof of a pre-arranged ride (waybill). Several drivers did not have proof of insurance. One did not have a driver's license. This disturbing lack of compliance with CPUC requirements raises serious public safety concerns for the Airport.

On April 7, 2014, the Airport provided the CPUC-permitted TNCs (Uber-x (aka Raiser) Lyft, Wingz (aka Tickengo), and Summon (aka InstaCab)) with an SFO TNC permit application package. (The Airport also provided the permit to SideCar, a known TNC which does not have a CPUC permit.) Included with these materials was a letter reminding the TNCs that operating on the Airport's roadways without a permit violates the Decision. To date, none of these TNCs have applied for an Airport permit, yet they continue to conduct commercial business on the Airport's roadways.

The San Francisco Police Department's Airport Bureau ("SFPD-AB") has been issuing written admonishments to TNC drivers detected on Airport roadways. Between April 16, 2014 and May 5, 2014, SFPD-AB made contact with 110 TNC drivers, all of whom are operating illegally at the Airport. As you are aware, failure to comply with a Commission decision or order is a misdemeanor under Public Utilities Code § 5411.

Of the 110 drivers, 101 were Uber-x drivers. Eighty percent (80%) of the Uber-x drivers did not have trade dress on their vehicles, as required by the Decision. One Uber-x driver reportedly asked to an officer, "Why should I advertise for them?" Four of the Uber-x drivers had no proof of insurance.

<sup>1</sup> The Decision states that "TNCs shall not conduct any operations on the property of or into any airport unless such operations are authorized by the Airport authority involved." (Decision at 33.)

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

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The remaining TNC drivers with whom SFPD-AB officers made contact during this period are Lyft (7 contacts), SideCar (1 contact), and Wingz (1 contact).

This information, collected over only a three-week period, demonstrates that TNCs are operating in willful disregard of their CPUC permit requirements. The flouting of the CPUC TNC permit includes unlawful, unpermitted operations on Airport roadways.

Under these circumstances, I request that the CPUC engage in enforcement activities with the SFPD-AB. I request that until such time as a TNC is issued an SFO TNC permit, the CPUC direct each TNC to: (a) remove the Airport as a trip location; (b) provide the Commission with a declaration from the Chief Operating Officer or other high level TNC executive stating, under penalty of perjury, that it has complied with the order to remove the Airport as a location (for either drop-off or pick-up of passengers); and (c) place a notice in a prominent place on each website (1) to customers, notifying them that trips to and from SFO are not available until further notice and, (2) to TNC drivers, notifying them that no rides may be given to or from SFO until further notice.

I look forward to the Commission's assistance in bringing TNCs into compliance with its Decision. If you would like to discuss this matter, please contact Associate Deputy Director Eva Cheong at 650-821-5221. In the meantime, thank you for your courtesy and cooperation in this matter.

Very truly yours,



John L. Martin  
Airport Director