

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298

**VIA ELECTRONIC MAIL**

September 29, 2023

Janeé Weaver  
Lyft, Inc.  
185 Berry Street, Suite 5000  
San Francisco, CA 94107  
[jweaver@lyft.com](mailto:jweaver@lyft.com)

Subject: TNC Access for All Advice Letter AL 17 Disposition

Dear Janeé Weaver,

Pursuant to Commission Decisions D.20-03-007, D.21-03-005, D.21-11-004, and D.23-02-024, 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- Disposition of Filing (Approved, Rejected, Withdrawn, etc.)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 17.

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, protest, 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, appearing to read "Terra Curtis".

Terra Curtis  
Interim Director, Consumer Protection and Enforcement Division  
Manager, Transportation Policy & Programs

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## Advice Letter Status Certificate

Status of Advice Letter 17 as of September 29, 2023

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

Advice Letter Subject: **Offset for Q2 2023 in compliance with Decisions D.20-03-007, D.21-03-005, D.21-11-004, and D.23-02-024**

Division Assigned: Consumer Protection and Enforcement

Date Filed: 7-14-2023

**Disposition: Approved**  
**Effective Date: 9-29-2023**

## Approved Offsets:

| COUNTY                              | APPROVED OFFSETS (\$) |
|-------------------------------------|-----------------------|
| LOS ANGELES                         | \$861,503.50          |
| SAN FRANCISCO                       | \$245,835.60          |
| <b>TOTAL OFFSET AMOUNT APPROVED</b> | <b>\$1,107,339.10</b> |

CPUC Contact Information: [tncaccess@cpuc.ca.gov](mailto:tncaccess@cpuc.ca.gov)

TNC Contact Information: Janeé Weaver, Lyft, Inc. (TCP 32513)  
[jweaver@lyft.com](mailto:jweaver@lyft.com)

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### Appendix: Staff Review and Disposition

#### Background

In accordance with D.20-03-007, D.21-03-005, D.21-11-004, and D.23-02-024 Lyft, Inc. (Lyft) filed advice letter (AL) 17 on July 14, 2023 to request offsets against quarterly Access Fund payments for amounts it spent during the Second Quarter (Q2) of 2023 to improve wheelchair accessible vehicle (WAV) service. No parties filed protests or responses.

This disposition evaluates Lyft's compliance with offset requirements based on the dataset provided with the supplements.

To qualify for an offset in a geographic area, a Transportation Network Company (TNC) must report the following in its quarterly AL 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.21-11-004 replaced the interim Offset Time Standard (OTS) framework adopted in D.20-03-007 (See Table 2.) and replaced the Trip Completion Standard (TCS) framework adopted in D.21-03-005 (See Table 3.). Table 1 below summarizes the evaluation criteria adopted in D.20-03-007, D.21-03-005, D.21-11-004, and D.23-02-024:

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<br>(b) the unique number of WAVs in operation – by quarter and by hour of the day and day of the week; and<br>(c) 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;<br>(d) the total WAV trips requested and completed broken out by Census Tract; and<br>(e) operating hours for each geographic area | Submission of the relevant data                               |
| <b>2. Improved level of service</b>         | Both the Offset Time and the Trip Completion Standards are satisfied:<br><br>(a) (1) Offset Time Standard & WAV Response Times: Meet or exceed both the relevant Level 1   | Achievement of the Offset Time Standard <sup>1</sup> and Trip |

<sup>1</sup> D.21-11-004, Ordering Paragraphs 1, 2, 3, and 4

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| Evaluation Criteria   | Must Demonstrate   | Satisfied By                     |
|---|--|----------------------------------|
|   | <p>and Level 2 Offset Time Benchmarks for a given quarter in a given geographic area within the Offset Response time Benchmarks (ORTB). The schedule shall advance each quarter, regardless of whether a TNC submits an Offset Request in that quarter.</p> <p>(b.1) Trip Completion Standard: Meet or exceed the applicable minimum percentage of trip requests completed, and</p> <p>(b.2) Either (i) a greater number of completed trips than in the immediately prior quarter, or (ii) a greater number of completed trips than in the immediately prior year's same quarter, if sufficient data is available. A TNC may elect to be compared to this prior quarter or prior year's same quarter, if applicable. The schedule shall advance each quarter, regardless of whether a TNC submits an Offset Request.</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> <p>(d) net of fare revenues collected from WAV service delivery in the quarter for which a TNC requests an offset.</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>   | Submission of the relevant data  |

<sup>2</sup> D.21-11-004, Ordering Paragraphs 6, 7, and 8

<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.

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| Evaluation Criteria            | Must Demonstrate  | Satisfied By                    |
|--------------------------------|---|---------------------------------|
|                                | (c) Certification of WAV inspection and approval <sup>5</sup>   |                                 |
| <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 |

The Commission adopted standards for demonstrating improved level of service in D.20-03-007, D.21-03-005, and D.21-11-004 (see Table 2 and Table 3 below) but 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 submits 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: Offset Response Times and Offset Time Standard

| Geographic Area/County  | Level 1 WAV Response Time (mins) | Level 2 WAV Response Time (mins) |
|---|----------------------------------|----------------------------------|
| <b>Group A</b><br>San Francisco   | 15                               | 30                               |
| <b>Group B</b><br>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                               |
| <b>Group C</b><br>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 (OTS)         | Level 1 Offset Service | Level 2 Offset Service |
|------------------------------------|------------------------|------------------------|
| 1 <sup>st</sup> Quarter Submission | 50%                    | 80%                    |
| 2 <sup>nd</sup> Quarter            | 54%                    | 81%                    |

<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, pickup, drop off, and others, D.23-02-024, Ordering Paragraph 13.

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|  |     |     |
|--|-----|-----|
| 3 <sup>rd</sup> Quarter                  | 57% | 83% |
| 4 <sup>th</sup> Quarter                  | 61% | 84% |
| 5 <sup>th</sup> Quarter                  | 64% | 86% |
| 6 <sup>th</sup> Quarter                  | 68% | 87% |
| 7 <sup>th</sup> Quarter                  | 71% | 89% |
| 8 <sup>th</sup> (and subsequent) Quarter | 75% | 90% |

Table 3: Trip Completion Standard

| Trip Completion Standard                 | County Group A | County Group B | County Group C |
|--|----------------|----------------|----------------|
| 1 <sup>st</sup> Quarter Submission       | 50%            | 50%            | 50%            |
| 2 <sup>nd</sup> Quarter                  | 54%            | 53%            | 51%            |
| 3 <sup>rd</sup> Quarter                  | 57%            | 56%            | 53%            |
| 4 <sup>th</sup> Quarter                  | 61%            | 59%            | 54%            |
| 5 <sup>th</sup> Quarter                  | 64%            | 61%            | 56%            |
| 6 <sup>th</sup> Quarter                  | 68%            | 64%            | 57%            |
| 7 <sup>th</sup> Quarter                  | 71%            | 67%            | 59%            |
| 8 <sup>th</sup> (and subsequent) Quarter | 75%            | 70%            | 60%            |

| Trip Completion Standard | Must meet at least one of:              |  |
|--------------------------|---|--|
|                          | Number of Completed Trips (Option 1)    | Number of Completed Trips (Option 2)   |
| Beginning Q2 2022        | Improvement (higher) than prior quarter | Improvement (higher) than prior year's same quarter if sufficient data is available. |

**Discussion****A. Offset Requirements**

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, D.21-03-005, and D.21-11-004. Ordering Paragraph 1 in D.21-11-004 provides 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 met or exceeded both the relevant*

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*Level 1 and Level 2 Response Time Benchmarks for a given quarter in a given geographic area. The 1<sup>st</sup> quarter percentages shall apply to the first quarter that a TNC submits an Offset Request in a given county. Once the schedule begins for a TNC in a given county, the schedule shall advance each quarter, regardless of whether a TNC submits an Offset Request in that quarter.*

This means that a TNC must demonstrate first that it meets Level 1 and 2 response time benchmarks for that county (first test), and second, it must meet the minimum percentage of completed trips beginning the first quarter that a TNC submits an Offset Request in a given county (second test). Once the schedule begins in a given county, the schedule will advance each quarter regardless of whether a TNC submits an Offset Request for that quarter.

Ordering Paragraph 6 in D.21-11-004 replaced the TCS framework adopted in D.21-03-005, effective starting the second quarter of 2022 (applicable to this advice letter), which requires a TNC to meet the minimum percentage of trip requests completed (third test), and increase the number of completed WAV trips (fourth test):

*To demonstrate improved level of service for offset eligibility, a TNC must demonstrate that it met or exceeded:*

*(a) The applicable minimum percentage of trip requests and completed, and*

*(b) Either: (a) a greater number of completed trips than in the immediately prior quarter, or (b) a greater number of completed trips than in the immediately prior year's same quarter, if sufficient data is available.*

*A TNC may elect to be compared to the prior quarter or prior year's same quarter, if applicable.*

**B. Review of Offset Requests**

Lyft's AL 17 requested offsets in Q2 2023 totaling \$1,107,339.10 in two counties. Table 4 and Table 5 below summarize the Q2 2023 Offset Time Standard (response times and OTS percentages), while Table 6 and Table 7 summarizes the Trip Completion Standard (percentages and numbers) reported for each geographic area eligible for offsets.

The review of AL 17 showed that Lyft satisfied both the first and second tests as its response times and OTS percentages in Los Angeles and San Francisco counties met the Level 1 and 2 benchmarks (see Table 4 and Table 5). It also satisfied the third and fourth tests in both counties as the percentage of trip request that were ultimately completed met the minimum benchmarks, and the number of completed trips in both counties resulted in a greater number of completed trips compared to the prior year's same quarter (see Table 6 and Table 7).

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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, training and inspections, and Wait and Save WAV trips<sup>7</sup> (see Table 8).

### C. Disposition of AL 17

After review of AL 17, Staff concludes that Lyft complied with the offset eligibility requirements in D.20-03-007, D.21-03-005, D.21-11-004, and in D.23-02-024 for the counties of Los Angeles and San Francisco. Therefore, Lyft's AL 17 is approved, effective September 29, 2023. The approved total offset amount is \$1,107,339.10. Consistent with D.20-03-007, Lyft shall submit the Q2 2023 Quarterly Report for the counties of Los Angeles and San Francisco within 7 days following the issuance of this disposition.

Table 4: Lyft's Level 1 and 2 Response Times (minutes) by County in Q2 2023

| County        | Benchmark (minutes) |         | Q2 2023 (minutes) |         | Within Benchmark?   |
|---------------|---------------------|---------|-------------------|---------|---------------------|
|               | Level 1             | Level 2 | Level 1           | Level 2 |                     |
| LOS ANGELES   | 25                  | 50      | 19.52             | 26.84   | Yes (Level 1 and 2) |
| SAN FRANCISCO | 15                  | 30      | 12.20             | 16.85   | Yes (Level 1 and 2) |

Table 5: Lyft's Level 1 and 2 Offset Time Standards (percent) by County in Q2 2023

| County        | # Quarter Submission | Benchmark (OTS %) |         | Q2 2023 (OTS %) |         | Meeting or Exceeding %? |
|---------------|----------------------|-------------------|---------|-----------------|---------|-------------------------|
|               |                      | Level 1           | Level 2 | Level 1         | Level 2 |                         |
| LOS ANGELES   | 5 <sup>th</sup>      | 64%               | 86%     | 69.93%          | 99.06%  | Yes (Level 1 and 2)     |
| SAN FRANCISCO | 5 <sup>th</sup>      | 64%               | 86%     | 66.49%          | 97.50%  | Yes (Level 1 and 2)     |

Table 6: Lyft's Trip Completion Standards by County in Q2 2023 (part b.1)

| County        | # Quarter Submission | Benchmark (TCS) |         | Q2 2023 (TCS %) | Meeting the Minimum %? |
|---------------|----------------------|-----------------|---------|-----------------|------------------------|
|               |                      | County          | TCS (%) |                 |                        |
| LOS ANGELES   | 5 <sup>th</sup>      | B               | 61%     | 62.37%          | Yes                    |
| SAN FRANCISCO | 5 <sup>th</sup>      | A               | 64%     | 76.33%          | Yes                    |

<sup>7</sup> D.23-02-024 Ordering Paragraph 10.



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Table 7: Lyft's Trip Completion Standards by County in Q2 2023 (part b.2)

| County        | Option 1 or 2 | (1)<br># of completed trips previous quarter | (2)<br># of completed trips in the immediately prior year's same quarter | (1)<br># of completed trips this quarter | (2)<br># of completed trips this quarter | Meeting or Exceeding #? |
|---------------|---------------|--|--|--|--|-------------------------|
| LOS ANGELES   | 2             | 4,978  | 4,506  | 5,218                                    | 5,218                                    | Yes (1 and 2)           |
| SAN FRANCISCO | 2             | 475  | 235  | 561                                      | 561                                      | Yes (1 and 2)           |

Table 8: Lyft's Wait & Save Trips by County in Q2 2023

| County        | # of WAV Wait & Save Trips | # of On-Demand WAV Trips | % of Wait & Save Trips Out of the Total On-Demand WAV Trips |
|---------------|----------------------------|--------------------------|---|
| LOS ANGELES   | 0                          | 5,218                    | 0.00%   |
| SAN FRANCISCO | 0                          | 561                      | 0.00%   |