

**ARKANSAS PUBLIC SERVICE COMMISSION**

IN THE MATTER OF PROMULGATION OF )	
RULES IN ACCORDANCE WITH THE )	DOCKET NO. 15-052-R
TRANSPORTATION NETWORK COMPANY )	ORDER NO. 1
SERVICES ACT OF 2015 )	

**ORDER**

On July 10, 2015, the General Staff (Staff) of the Arkansas Public Service Commission (Commission) filed a Petition to Initiate a Docket for Rulemaking for the purpose of complying with Act 1050 of 2015, which is codified as Ark. Code Ann. §§ 23-13-701 *et seq.* and was subsequently amended by Act 1267 of 2015 (the Acts). The Acts were established to permit and govern Transportation Network Companies (TNCs) which operate in this state using a digital network to connect TNC riders to TNC drivers who provide prearranged rides. The Acts further direct the Commission to promulgate rules necessary to implement the requirements of the Acts.

Staff's Petition states that the rules recommended by Staff are filed as Attachments A and B to Staff's Initial Comments, which were also filed on July 10, 2015, along with a letter indicating the known TNCs served with the Petition and Initial Comments with Proposed Rules. Staff states that it has served notice of these proposed rules on all TNCs currently operating within the state, namely, Rasier, LLC. Staff's Petition also requests that a procedural schedule be set with a hearing on September 17, 2015.

Staff's Petition is hereby granted for the sole purpose of considering Staff's proposed TNC rules. In accordance with Ark. Code Ann. § 23-2-305, the following procedural schedule is hereby established to consider Staff's Petition and the proposed TNC rules:

1. Any potential TNC, as defined by Ark. Code Ann. § 23-13-702(4)<sup>1</sup>, wishing to be an official party to this Docket shall file a Notice of Participation by noon on July 31, 2015. The Notice shall affirm that the entity generally meets the statutory definition, shall designate the individuals to be included on the Official Service List in compliance with Rule 3.04 of the Commission's *Rules of Practice and Procedure* (RPP), and shall otherwise comply with the RPPs including Rule 4.01. Upon filing of the Notice, the entity shall be considered a party to the Docket;

2. Any other entities or individuals desiring party status shall file a formal petition to intervene pursuant to Rule 4.02 of the Commission's RPPs, by noon on July 31, 2015. Responses, if any, to any petition to intervene shall be filed no later than noon five (5) *calendar* days after the filing of the petition to intervene. A reply, if any, to any response to a petition to intervene shall be filed no later than noon two (2) *business* days after the filing of the response;

3. The filing deadlines set in Paragraphs 1 and 2 above shall apply in lieu of the deadlines otherwise set by the RPPs, including Rules 3.10 and 4.02. To accommodate the schedule requested, good cause exists to modify the filing deadlines set in the RPPs, and it is in the public interest to do so;

4. Initial Comments by parties other than Staff shall be filed by noon on August 21, 2015;

5. Reply Comments by all parties shall be filed by noon on September 4, 2015;

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<sup>1</sup> Excepting the "licensed under this subchapter" language of the statute.

6. Any Settlement Agreement and supporting testimonies shall be filed by noon on September 11, 2015; and

7. A public hearing is set to begin at **9:30 a.m. on Wednesday, September 23, 2015**, in the Hearing Room of the Arkansas Public Service Commission Building, 1000 Center Street, Little Rock, Arkansas 72201.

Interested persons other than official parties who desire to submit written public comments in response to Staff's Petition shall do so no later than Wednesday, September 23, 2015. Persons may also appear at the hearing on Wednesday, September 23, 2015, and make oral comments.

The Secretary of the Commission is hereby directed to:

1. Serve a copy of this order on Rasier, LLC<sup>2</sup> and the Office of the Attorney General;

2. Transmit the appropriate documents to the Arkansas Legislative Council and the Joint Interim Committee on Insurance and Commerce of the Arkansas General Assembly in accordance with Rule 2.03(b)(1) of the RPPs, with copies filed in this Docket;

3. Transmit the appropriate documents to the Governor in accordance with Executive Order 15-02, with copies filed in this Docket;

4. Provide newspaper notice of this rulemaking in accordance with Rule 2.03(b)(2) of the RPPs; and

5. File a proof of notice by publication in accordance with Rule 4.03(c)(1) of the RPPs.

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<sup>2</sup> Using the contact information indicated on Staff's letter filed July 10, 2015.

BY ORDER OF THE COMMISSION.

This 16<sup>th</sup> day of July, 2015.



Ted J. Thomas, Chairman

I hereby certify that this order, issued by the Arkansas Public Service Commission, has been served on all parties of record on this date by the following method:

U.S. mail with postage prepaid using the mailing address of each party as indicated in the official docket file, or

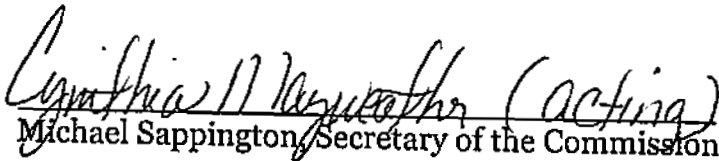
Electronic mail using the email address of each party as indicated in the official docket file.



Elana C. Wills, Commissioner



Lamar B. Davis, Commissioner

  
Cynthia M. Sappington (acting)  
Michael Sappington, Secretary of the Commission