CALIFORNIA PUBLIC UTILITIES COMMISSION Consumer Protection and Enforcement Division

Advice Letter Summary Form

TNC & AL FILER INFORMATION

	Date of Service:
	PSG #:
State:	ZIP Code:
	Filer's Phone:
	State:

AL INFORMATION

Advice Letter #:	AL Type:	Offset	Exemption
Geographic Area(s):			
Offset Amount:	Quarter:		Year:
Documents Included: Cover letter Service List	Training	Declaration	□ Marketing Materials
□ Signed Accounting of Funds	\Box Inspection [Declaration	Data Reports (CSV)
Reason (if not all document boxes above are marked):			

SUBMISSION INFORMATION

Combine (in this order) AL summary form, cover letter, service list, marketing materials, TNC WAV training declaration, TNC vehicle inspection declaration, and signed Accounting of Funds Expended, into a single PDF file. The completed data reports must be in separate CSV files. A complete advice letter submission will consist of the following attachments: the PDF and CSV files. Submit the advice letter via email with the attachments to TNCAccess@cpuc.ca.gov and to the R.19-02-012 service list.

The cut off time to be considered filed the same day as submitted is 5:00 PM (Pacific Standard Time). Files submitted after 5:00 PM or on a non-business day will be considered filed on the following business day.

FOR CPUC USE ONLY					
Analyst: 30-Day Due Date:					
Completion Date:	Disposition:				
Approved Offset/Retroactive Amount:	AL Effective Date:				
Supervisor:	Supervisor Review Date:				

Uber

Uber Technologies, Inc. 1515 3rd Street San Francisco, CA 94158 uber.com

October 16, 2023 Uber Technologies, Inc. PSG0038150 Advice Letter No. 20

California Public Utilities Commission Consumer Protection and Enforcement Division Transportation Licensing and Analysis Branch 505 Van Ness Avenue San Francisco, CA 94102

Re: Uber Technologies, Inc. - Advice Letter No. 20 (Q3 2023)

I. Offset Request

Pursuant to Decisions (D.) 20-03-007, D.21-03-005, D.21-11-004, and D.23-02-024, Uber Technologies, Inc. ("Uber") submits this Advice Letter No. 20 to request to offset Quarter 3 of 2023 TNC Access For All Fund¹ fee payments by the amounts Uber spent to improve wheelchair accessible vehicle ("WAV") service in Quarter 3 of 2023. The requested effective date of this advice letter is November 15, 2023 (30 days from date of filing).²

The offset amounts requested by county are as follows:

County	Offset Expenses (\$)	Percent Allowed (%) ³	Offset Requested (\$)	County	Offset Expenses (\$)	Percent Allowed (%)	Offset Requested (\$)
ALAMEDA	\$ -	%	\$ -	ORANGE	\$ -	%	\$ -
ALPINE	\$ -	%	\$ -	PLACER	\$ -	%	\$ -
AMADOR	\$ -	%	\$ -	PLUMAS	\$ -	%	\$ -

¹S.B. 1376, Cal. Legis. Serv. Ch. 701 (2018); see also Pub. Util. Code § 5440.5(a)(1)(B)(ii).

² As a good faith participant in the TNC Access for All program, Uber submits this advice letter without any request for confidential treatment. While Uber maintains that certain information contained herein is commercially sensitive and constitutes protectable trade secrets, Uber submits this information unredacted in an effort to advance the goals of this program. Uber reserves its right to seek confidential treatment of this type of information in the future.

³ D.23-02-024 OP6.

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DEL NORTE	\$ -	%	\$ -	SAN DIEGO	\$ -	
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FRESNO	\$ -	%	\$ -	SAN JOAQUIN	\$ -	
				SAN LUIS		
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MARIN	\$ -	%	\$ -	STANISLAUS	\$ -	%	\$ -
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MENDOCINO	\$ -	%	\$ -	TEHAMA	\$ -	%	\$ -
MERCED	\$ -	%	\$ -	TRINITY	\$ -	%	\$ -
MODOC	\$ -	%	\$ -	TULARE	\$ -	%	\$ -
MONO	\$ -	%	\$ -	TUOLUMNE	\$ -	%	\$ -
MONTEREY	\$ -	%	\$ -	VENTURA	\$ -	%	\$ -
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NAPA	\$ -	%	\$ -	YOLO	\$ -	%	\$ -
NEVADA	\$ -	%	\$ -	YUBA	\$ -	%	\$ -
INEVADA	φ-	/0	φ-	TUDA	φ-	/0	ф-
Subtotal	\$ -	%	\$ -	Subtotal	\$ -	%	\$ -
Subtotal	φ-	/0	φ-	Subtotal	φ-	/0	φ-
				Total Offset Request	\$2,273,02 8.67	100%	\$2,273,028 .67

Per D.20-03-007, D.21-03-005, D.21-11-004, and D.23-02-024, Uber provides the following documents in support of its request as indicated in the summary table below:

Criteria	Must Demonstrate	Documentation
		Included

		(Y/N)
1. Presence and availability of on-demand and pre-scheduled ⁴ WAVs ⁵	 (a) the number of WAVs in operation - by quarter and aggregated by hour of the day and day of the week; (b) the unique number of WAVs in operation – by quarter and by hour of the day and day of the week; and (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; (d) the total WAV trips requested and completed broken out by Census Tract; and (e) operating hours for each geographic area 	Y
2a. Improved level of service (on-demand WAVs) ⁶	Both the Offset Time and the Trip Completion Standards are satisfied: (a)(1) Offset Time Standard & WAV Response Times ⁷ : Meet or exceed both the relevant Level 1 and Level 2 Response 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 (see Table A)	Y

⁴ As Uber has explained in previous submissions, Uber does not currently have a pre-scheduled WAV offering. As such, information and data tables relating to pre-scheduled trips are marked "N/A".

⁵D.20-03-007 Ordering Paragraph 1; D.23-02-024 Ordering Paragraph 11 and 12.

⁶D.21-11-004 Ordering Paragraph 1-3, 6, and 7.

⁷ D.21-11-004 Ordering Paragraph 1, 2, and 3.

	 (b.1) Trip Completion Standard⁸: Meet or exceed the applicable minimum percentage of trip requests completed (see Table B), and (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 (see Table C). The schedule shall advance each quarter, regardless of whether a TNC submits an Offset Request. 	
2b. Improved level of service (pre-scheduled WAVs) ⁹	Both the Pickup Delay Benchmark and the Trip Completion Standards are satisfied: (a) Pickup Delay Standard within the Pickup Delay Benchmark ¹⁰ : Meet or exceed both the relevant Response Time Benchmarks for a given quarter in a given geographic area within the Pre-scheduled Pickup Delay Benchmarks (PDB). The schedule shall advance each quarter, regardless of whether a TNC submits an Offset Request in that quarter (see Table D) (b.1) Pre-scheduled Trip Completion Standard ¹¹ : Meet or exceed the applicable minimum percentage of trip requests completed (see Table E), and (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	N/A

⁸ D.21-11-004 Ordering Paragraph 6 and 7.

⁹ D.23-02-024 Ordering Paragraph 1-5.

¹⁰ D.23-02-024 Ordering Paragraph 4.
¹¹ D.23-02-024 Ordering Paragraph 5.

	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 (see Table F). The schedule shall advance each quarter, regardless of whether a TNC submits an Offset Request.	
3. Efforts to publicize and promote available WAV services ¹²	 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, including but not limited to: (a) Submitted an annual outreach plan (due no later than July 1 of each year), (b) Information about disability access and WAV in general marketing campaigns, (c) Submit a quarterly report for each offset county on the following: Progress made towards implementing the outreach plan; The number of entities contacted; The method, nature, outcome of the contact; the number of partnerships developed; Efforts to publicize and promote WAV service in each offset county and whether efforts were accessible to people with disabilities and limited English proficiency; Educational materials developed and distributed; and outcome of TNCs efforts to outreach and engage wheelchair users. Quarterly Report shall also address the following questions: What methods of engagement did the TNC find most effective and why? 	Y

¹² D.20-03-007 Ordering Paragraph 9, and D.23-02-024 Ordering Paragraph 16.

	3. What challenges have you encountered? How do you plan to overcome them?	
4. Full accounting of funds expended ¹³	Qualifying offset expenses are: (a) reasonable, legitimate costs that improve a TNC's WAV service, and (b) incurred in the quarter for which a TNC requests an offset, and (c) on the list of eligible expenses attached as Appendix A, and (d) net of fare revenues collected from WAV service delivery in the quarter for which a TNC requests an offset ¹⁴	Y
5. Training and inspections ¹⁵	 (a) certification of WAV driver training completion within the past 3 years, and (b) WAV driver training programs used per geographic area, and the number of WAV drivers that completed WAV training in that quarter, and (c) Certification of WAV inspection and approval 	Y
6. Reporting complaints ¹⁶	Number of complaints related to WAV drivers or services – by quarter and geographic area, and broken out by category: Securement Issues; Driver Training; Vehicle Safety and Comfort; Service Animal; Stranded Passenger, Pickup, Drop Off, and Other issues.	Y

Table A: Level 1 and Level 2 Offset Time Standards (percent) and ORTB (minutes) by County

¹³ D.20-03-007 Ordering Paragraph 10.

¹⁴ D.21-11-004 Ordering Paragraph 9.

¹⁵D.20-03-007 Ordering Paragraph 13 and 15(f), 15(g), and 15(h).

¹⁶D.23-02-024 Ordering Paragraph 13.

County		TNC claims the data				
	# Quarter Submissio n (1st, 2nd, 3rd, 8th)	Level 1 (%)	Level 1 (mins) ¹⁷	Level 2 (%)	Level 2 (mins)	demonstrates meeting or exceeding % of completed trips and within ORTB for Level 1 and 2?
Los Angeles	2nd	73.28	19.52	96.81	28.07	Yes
San Francisco	5th	69.29	13.85	97.95	19.87	Yes
San Mateo	6th	88.34	18.75	99.56	24.48	Yes

 Table B: Trip Completion Standard (part b.1)

County	# Quarter Submissio n (1 st , 2 nd , 3 rd ,8 th)	County Group A, Group B, or Group C?	Trip Completion Rate (%)	TNC claims the data demonstrates meeting the minimum % of trip requests completed?
Los Angeles	2nd	В	57.81%	Yes
San Francisco	5th	А	84.00%	Yes
San Mateo	6th	В	77.45%	Yes

¹⁷ Level 1 and Level 2 (mins) represent the applicable ORTB percentile for the appropriate quarter submission. Response time minutes for each decile is included in the file UBER_2023Q3_Response_Times_3.

County	Option 1 or 2 ¹⁸	(1) # of completed trips previous quarter	(2) # of completed trips in the immediately prior year's same quarter	(1) # of completed trips this quarter	(2) # of completed trip this quarter
Los Angeles	1	8331	4412	9782	9782
San Francisco	1	1807	1559	2677	2677
San Mateo	1	699	538	910	910

 Table C: Trip Completion Standard (part b.2)
 Image: Completion Standard (part b.2)

Table D: Pre-scheduled Pickup Delay Standards (PDS) (percent) and Pickup Delay Benchmarks (PDB) (minutes) by County

County		Q3 2023				
	# Quarter Submission (1 st , 2 nd , 3 rd ,8 th)	PDS (%)	PDB (mins)	data demonstrates meeting or exceeding % of completed trips and within PDB?		
Los Angeles	N/A	N/A	N/A	N/A		
San Francisco	N/A	N/A	N/A	N/A		
San Mateo	N/A	N/A	N/A	N/A		

Table E: Pre-scheduled Trip Completion Standard (part b.1)

	# Quarter			TNC claims the
	Submissio		Pre-scheduled	data demonstrates
	$n(1^{st}, 2^{nd},$	County	Trip	meeting the
	3 rd ,8 th)	Group A,	Completion	minimum % of
		Group B, or	Standard	trip requests
County		Group C?	(%)	completed?
Los Angeles	N/A	В	N/A	N/A

¹⁸ See D.21-11-004 Ordering Paragraph 6.

San Francisco	N/A	А	N/A	N/A
San Mateo	N/A	В	N/A	N/A

 Table F: Pre-scheduled Trip Completion Standard (part b.2)

County	Option 1 or 2 ¹⁹	(1) # of completed trips previous quarter	(2) # of completed trips in the immediately prior year's same quarter	(1) # of completed trips this quarter	(2) # of completed trip this quarter
Los					
Angeles	N/A	N/A	N/A	N/A	N/A
San					
Francisco	N/A	N/A	N/A	N/A	N/A
San Mateo	N/A	N/A	N/A	N/A	N/A

Per D.23-02-24²⁰, Uber submits information on the on-demand and Pre-scheduled Service Mix as indicated in the table below.

County	# of On-Demand WAV Trips	# of Pre-sched uled WAV Trips	% of On-Demand WAV trips out of the total Pre-scheduled WAV trips	% of Pre-sched uled WAV trips out of the total on-deman d WAV trips
Los Angeles	8331	0	100%	N/A
San Francisco	1807	0	100%	N/A

Table G: On-demand and Pre-scheduled Service Mix

¹⁹ See D.23-02-024 Ordering Paragraph 5.

²⁰ See D.23-02-024 Ordering Paragraph 6.

San Mateo	699	0	100%	N/A
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Per D.23-02-24²¹, Uber submits information on Wait and Save data as indicated in the table below.

Table H: Wait and Save

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	8331	0%
San Francisco	0	1807	0%
San Mateo	0	699	0%

WAV Operating Hours

Any prospective passenger can request a WAV ride through Uber's app 24 hours a day, 7 days a week in all counties (each geographic area) throughout California.

II. <u>Background</u>

In 2018, Senate Bill 1376, the "TNC Access for All Act," was enacted by the California Legislature.²² Public Utilities ("Pub. Util.") Code § 5440.5 establishes a framework whereby Transportation Network Companies ("TNCs") are permitted to offset against quarterly Access Fund fee payments for amounts spent by the TNC during the quarter to improve WAV service.²³

Uber recognizes its unique position as a TNC to enable increased access to third-party WAVs available for request via its online-enabled application, and appreciates the opportunity to submit this offset request advice letter.

III. <u>Accessibility at Uber</u>

²¹ See D.23-02-024 Ordering Paragraph 11.

²² S.B. 1376; see also Pub. Util. Code § 5440.5.

²³ Pub. Util. Code § 5440.5(a)(1)(B)(ii).

As the first TNC in California to address WAV challenges on a widespread basis, Uber understands the hurdles associated with enabling increased access to WAVs on its platform. Uber's technology is helping to increase mobility and independence for riders with disabilities, with features and capabilities like:

<u>Cashless payments</u>: Uber's cashless payment option simplifies the payment process, reducing the need for riders to worry about counting out cash or exchanging bills with a driver.

<u>On-demand transportation</u>: The Uber app makes it easier for riders with disabilities to get from A to B at the touch of a button. They no longer have to arrange rides through a dispatcher or resort to other, less convenient, means of finding a ride.

<u>Agreements and policies</u>: Driver agreements, Uber's Community Guidelines, Uber's Service Animal Policy, and Uber's Non-Discrimination Policy confirm that drivers must comply with all applicable laws, including, for example, those relating to their transportation of riders' service animals.

<u>Riders who are blind or low-vision</u>: With iOS VoiceOver, Android TalkBack, and wireless Braille display compatibility, the Uber app makes it easier for riders who are blind or low-vision to get where they need to go.

<u>Riders who are deaf or hard of hearing</u>: Audio is not needed for full functionality of the Uber app. Assistive technology such as visible and vibrating alerts can help riders who are deaf or hard of hearing use the Uber app easily, and in-app features, such as the ability to enter a destination, can facilitate non-verbal communication between the rider and driver.

<u>Share your ETA and location</u>: Riders can easily share their ride details, including the specific route and estimated time of arrival, with loved ones for extra peace of mind. Friends or family members will receive a link where they can see the driver's name, photo, and vehicle information, and track where the rider is on the map in real time until they arrive at their destination—all without downloading the Uber app.

When evaluating a TNC's efforts to increase access to third-party WAVs, Uber requests that the following be taken into consideration: compared to standard vehicles, WAVs have higher purchase prices; higher operating and maintenance costs; higher fuel costs; and higher insurance costs. Additionally, demand for WAV trips is extremely low, representing a very small fraction (less than 1%) of overall TNC demand.

Historically, Uber relied on drivers using their own WAVs to provide WAV services on the Uber platform. However, after observing the trends with individual-WAV ownership, Uber determined there were not enough individual WAV owners willing to make their WAVs available via the

Uber app to service the public's demand, especially when geographic and temporal factors were taken into account.

Uber has invested significant capital to increase access to WAV service by partnering with third-party WAV providers. For example, in Quarter 3 of 2023, Uber spent nearly **\$2.8 million** million on payments to third-party partners with WAVs.

In Quarter 3 of 2023, UberWAV service levels continued to ramp up due to Uber's expanded partnership with Tower WAV LLC. Uber expects this partnership to further support program growth and reliability across the San Francisco Bay Area counties and Los Angeles county. Additionally, during the third quarter of 2023, Uber worked to better understand when and where WAV demand was coming from, and made significant operational improvements to strategically position WAV supply to best address that demand. These optimizations have resulted in increased reliability for WAV riders and an increase in completed WAV trips in the San Francisco Bay Area and Los Angeles.

Uber's ability to continue to invest heavily to expand WAV service is dependent on the expectation that it will recoup some of its costs through the Access for All program, especially upon a showing of very high reliability and performance. If the Access for All program's offset rules preclude Uber from qualifying for fee offsets, Uber will not be able to invest at the same levels.

IV. <u>Uber's Offset Request Advice Letter</u>

In accordance with D.20-03-007, D.21-03-005, D.21-11-004, and D.23-02-024, and the templates provided by the Commission, Uber provides the following supporting information: this Advice Letter "38150 Uber Technologies, Inc. AL 20 Forms," including Attachment A (Training and Inspections Declarations) and Attachment B (Outreach Quarterly Report); and the .csv files referenced below.

1. WAVs in Operation

Data for the WAVs in operation in Quarter 3 of 2023 is provided in the report "UBER_2023Q3_WAVS_In_Operation_1a." Per the template provided by the Commission, the data is aggregated by hour of the day and day of the week for each county.

2. Unique WAVs in Operation

Data for unique WAVs in operation in Quarter 3 of 2023 for every county in which Uber requests (or previously requested) an offset is provided in the report "UBER_2023Q3_Unique_WAVS_In_Operation_1b." Per the template provided by the Commission, the data is aggregated by hour of the day and day of the week for each county.

3. WAV Trips

Data detailing WAV trips in Quarter 3 of 2023 for every county in which Uber requests (or previously requested) an offset is provided in the report "UBER_2023Q3_WAV_Trips_2." This report includes data on the percentage, number, and Census Tract²⁴ of WAV trips completed, not accepted, canceled-no show,²⁵ canceled by passenger, canceled by driver, and cancellations within completed trips, cancellations within not completed trips, aggregated by the hour of the day and day of the week.²⁶

When analyzing trip data, it is critical to acknowledge that riders often submit multiple trip requests prior to taking a WAV trip. This may occur because an initial trip request is not matched with a driver, the rider cancels or modifies an initial trip request, or the rider requests multiple times, hoping to find a closer vehicle. A subsequent completed non-WAV trip might also indicate that the prior WAV request was possibly made in error.

4. Response Times and the Offset Time Standard (OTS)

Data for response times for completed WAV Trips, including Periods A and B, is provided in the report "UBER_2023Q3_Response_Times_3." Data demonstrating that Uber has fulfilled the

²⁴ Due to default formatting settings on .csv readers, Census Tract information may appear as a 10-digit code instead of an 11-digit code, omitting the 0 in California's 06 state code.

²⁵ Uber cannot provide information regarding the number of WAV trips canceled due to passenger "no-shows" because there is insufficient reliable data to report. Attempting to collect data reflecting whether or not the reason for a cancellation is tied to a passenger not showing up would be susceptible to bias and other design issues, which would result in incomplete and inaccurate data collection. For those same reasons, a portion of driver cancellations may be due to rider "no-shows," yet Uber cannot reasonably ascertain which portion of driver initiated cancellations this would account for. While Uber does not have reliable data to report for this category, for ease of the Commission's analysis of Uber's data files, Uber has entered "0" for this data rather than indicating "N/A."

²⁶ Per CPUC's instructions received via email on September 25th, 2020 in the file attachment labeled "Data Template Changes 092520.pdf", Uber has calculated "Cancellations - Completed" and "Cancellations - Not Completed" as the total number of times that a trip request was accepted and canceled by a driver and redispatched among trip requests that were ultimately completed and not completed, respectively. *E.g.*, per CPUC's example, if trip request A was accepted, canceled and redispatched a total of 5 times before being completed, then Uber would add 5 to the total count reported in the "Cancellations_Completed_Trips" row of the data file. Similar to previous instructions regarding counting trips, Uber has reported cancelations for the day and hour of the ultimate trip event.

relevant Offset Time Standard percentages for Level 1 and Level 2 is provided in the report "UBER_2023Q3_OTS_PDS_4."

Uber urges the Commission to take into consideration numerous factors when evaluating response times. First, coverage can vary across counties and providers, making comparisons difficult, if not impossible. For example, some providers may only offer service during certain time windows or in certain areas. These providers cannot be compared to a provider that offers service across an entire county 24 hours a day, 7 days a week. Second, the fact that WAVs are servicing trips in a reasonable time compared to alternative accessible options should weigh considerably in the evaluation. Third, response times can be highly variable due to external factors such as seasonality, local or widespread emergencies, overall traffic patterns (e.g., rush hour), and business events such as onboarding of new third-party WAV service providers and implementation of any new outreach and service efforts resulting in increased demand for WAV trips.

In accordance with Pub. Util. Code § 5440.5, offset requests should be evaluated in light of "reasonable response times." When analyzing the information presented for a certain county, the data should be considered holistically, as each piece of data is part of an overall picture of the county and California-wide service.

5. Trip Completion Standard (TCS)

Data demonstrating that Uber has fulfilled the Trip Completion Standard is provided in the report "UBER_2023Q3_TCS_PTC_5."

Similar to response times, because coverage can vary across counties and providers, comparisons for metrics such as trip completion rate can be difficult, if not impossible. For example, some providers may only offer service during certain time windows or in certain areas. These providers cannot be compared to a provider that offers service across an entire county 24 hours a day, 7 days a week. Further, completion rates can be highly variable due to the same external factors which can impact response times.

6. Outreach

Between July and September 2023 (Quarter 3 of 2023), Uber implemented its newly created 2023-2024 Revised Annual Outreach Plan. Details of Uber's efforts including 1) a narrative of its efforts, 2) a tracker documenting its quarterly efforts pursuant to its plan, 3) answers to

questions set forth in D.23-02-024²⁷, and 4) exemplar marketing materials are included as Attachment B.

Additional data detailing Uber's outreach efforts is provided in the report "UBER_2023Q3_Outreach_7." In this report, there may be date ranges in the columns labeled "Date" that are associated with email and phone outreach. These ranges reflect the range of start dates of outreach for specific partners in that county for email and phone outreach.

7. WAV Training and Inspections

Information regarding WAV Driver Training is provided in the report "UBER_2023Q3_Training_and_Inspections_8" and required certifications are provided within Attachment A. The number of WAV drivers that have completed training is assigned according to the physical location of the fleet partner's office, as that is where the training takes place.

8. Complaints

Information regarding complaints related to WAV services for each geographic area is provided in the report "UBER_2023Q3_Complaints_9." In an effort to be comprehensive, some complaint information included may represent a situation unrelated to the actual quality of WAV service provided, such as inquiries regarding lost items and account or payment questions.

9. Accounting of Funds Expended

An accounting of certain funds expended in Quarter 3 of 2023 is included in the report "UBER_2023Q3_Funds_Expended_10."

As indicated in the supporting documentation provided, Uber is investing a significant amount of money to enable increased access to WAVs. It is more expensive to maintain and incentivize WAV trips over UberX trips, and Uber must offer substantial incentives to our partners to make it financially viable for them to operate their WAVs on the Uber platform, given the substantially higher acquisition, operating, and maintenance costs incurred. Further, the amounts included herein are not exhaustive and represent only a subset of the capital expended to enable the WAV program. Simply put, the millions of dollars Uber has demonstrated it invests is intended to achieve an end goal of enabling access to accessible, on-demand transportation to the general population at a price, service level, and scale that simply is not commercially available anywhere else in the market today.

10. Contract Information

²⁷ See D.23-02-024 Ordering Paragraph 16.

Information regarding contracts with service providers is included in the report "UBER_2023Q3_Contract_Information_11." The "Duration of Contract" column identifies the total length of the contract that was in effect during the reporting quarter. The entry "All CA Counties" under the column "County" indicates that the provider associated with that entry is eligible to provide trips starting in all California counties.

* * * * * * * * * * *

In compliance with General Order 96-B, we served a copy of this advice letter via email upon the parties identified on the attached R.19-02-012 service list on October 15, 2023. If there are any questions regarding this advice letter, please contact Alex Larro at westregs@uber.com.

Any Party can protest or respond to this advice letter by sending a written protest or response via email to CPED at TNCAccess@cpuc.ca.gov. If submitting a protest, the protest must set forth the specific grounds on which it is based, including supporting information or legal arguments. A protest or response to the advice letter must be submitted to CPED within twenty (20) days of the date the advice letter was filed and must be served on the TNC on the same day.

Email a copy of the protest or response to this advice letter to Alex Larro at westregs@uber.com.

To obtain information about the CPUC's procedures for advice letters and protests, visit CPUC's website at <u>www.cpuc.ca.gov</u> and look for links to General Order 96-B.

I HEREBY CERTIFY UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOLLOWING ATTACHMENTS HAVE BEEN EXAMINED BY ME AND ARE TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Respectfully submitted,

/s/ Alex Larro

Alex Larro Counsel, Regulatory Uber Technologies, Inc.

Attachments

- 1. Attachment A Signed Training & Inspection Declarations (PDF)
- 2. Attachment B Outreach Quarterly Report (PDF)
- 3. Data Attachments in CSV format (WAVs in Operation; Unique WAVs in Operation; WAV Trips; Response times; OTS/PDS; TCS/PTC; Outreach; Training and Inspections; Complaints; Funds Expended; and Contract Information)



CALIFORNIA PUBLIC UTILITIES COMMISSION Service Lists

PROCEEDING: R1902012 - CPUC - OIR TO IMPLEM FILER: CALIFORNIA PUBLIC UTILITIES COMMISSION LIST NAME: LIST LAST CHANGED: OCTOBER 3, 2023

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ANDREW B. BROWN

ATTORNEY AT LAW

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA TNC ACCESS FOR ALL WHEELCHAIR ACCESSIBLE VEHICLE INSPECTION DECLARATION FORM

Carrier Name: _____

PSG#: 39427-A

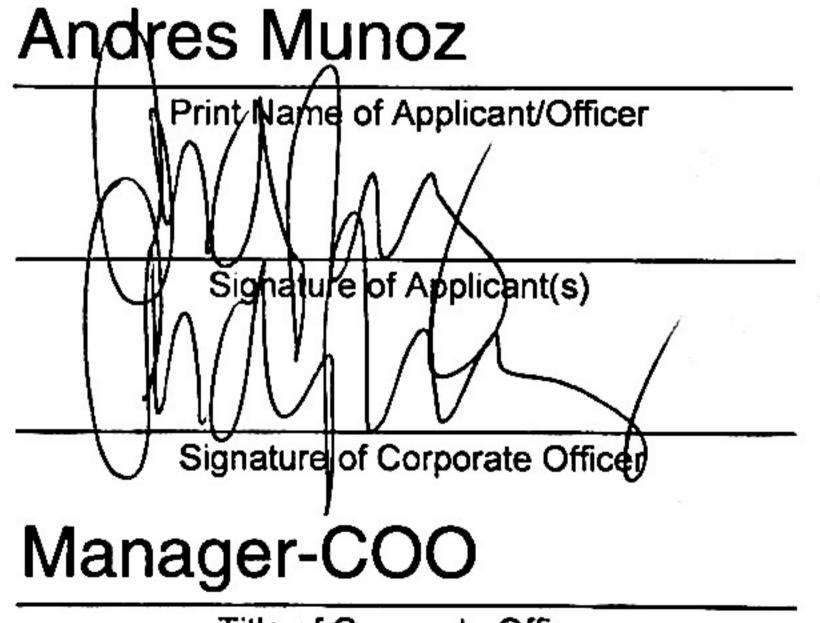
Pursuant to Decision 20-03-007 Ordering Paragraphs 14(c) and 15(h), all Wheelchair Accessible Vehicles (WAVs) operating on a TNC's platform shall be inspected and approved to conform with the Americans with Disabilities Act Accessibility Specifications for Transportation Vehicles within the past year.

TNCs shall be responsible for ensuring that each of their WAVs complies with this requirement and shall maintain records of such compliance for the duration of the program which is scheduled to sunset on January 1, 2026.

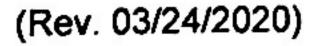
CERTIFICATION

I (we) certify (or declare), under penalty of perjury, that I (we) have read and understand the above requirements that all WAVs operating on the TNC platform be inspected and approved to conform with the Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles, and that I (we) am (are) to and will comply with it. I (we) certify (or declare), under penalty of perjury, that the foregoing is true and correct.

Date:



Title of Corporate Officer



PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA TNC ACCESS FOR ALL WHEELCHAIR ACCESSIBLE VEHICLE TRAINING DECLARATION FORM

Carrier Name: _____

PSG #: 39427-A

Pursuant to Decision 20-03-007 Ordering Paragraph 14(a) and 16(f), all Wheelchair Accessible Vehicle (WAV) drivers operating on TNCs platform shall have completed WAV driver training within the past three years. The required training shall include, at minimum below:

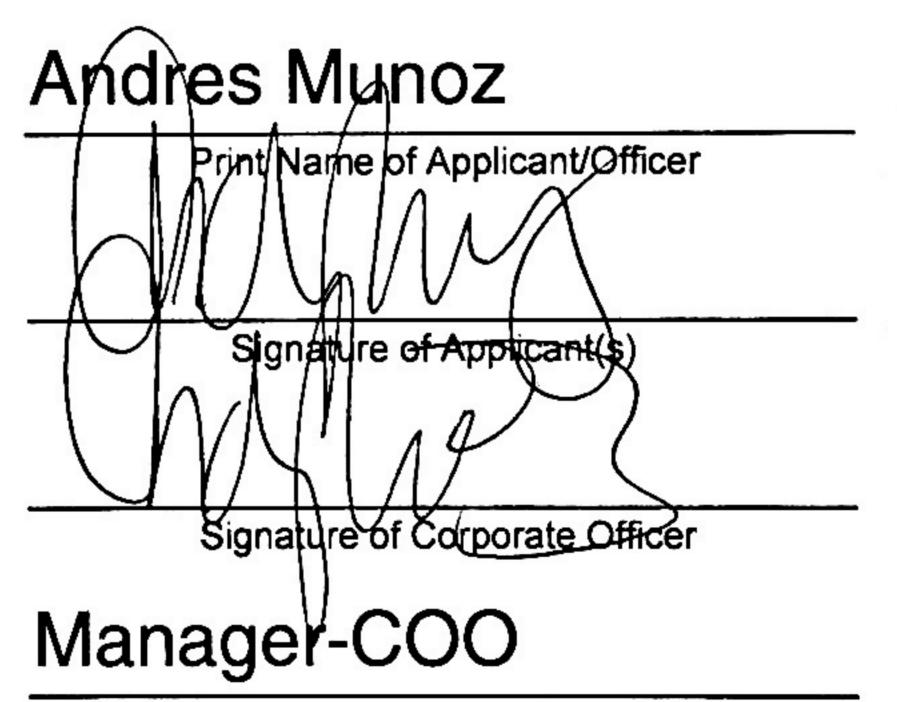
- 1. Sensitivity training
- 2. Passenger assistance techniques
- 3. Accessibility equipment use
- 4. Door-to-door service
- 5. Safety procedures

TNCs shall be responsible for ensuring that each of their WAV drivers complies with these requirements and shall maintain records of such compliance for the duration of the program which is scheduled to sunset on January 1, 2026.

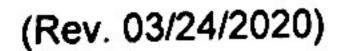
CERTIFICATION

I (we) certify (or declare), under penalty of perjury, that I (we) have read and understand the above requirement that all WAV drivers operating on TNCs platform must have completed WAV driver training within the past three years, and that I (we) am (are) to and will comply with it. I (we) certify (or declare), under penalty of perjury, that the foregoing is true and correct.

Date: 10



Title of Corporate Officer



ATTACHMENT B

Uber Technologies, Inc.'s Outreach Quarterly Report Quarter 3 2023

October 16, 2023

Uber Technologies, Inc. has been implementing and promoting its UberWAV offering in the third quarter of 2023, in compliance with the regulations of the California Public Utilities Commission (CPUC) under the TNC Access for All Act (SB 1376). This report is presented following Uber's submission of its revised annual outreach plan, pursuant to Decision (D.) 23-02-024, Ordering Paragraph 16, and Rule 6.1 of General Order 96-B. It is structured to reflect the enhanced goals and objectives outlined therein, aiming to fortify Uber's outreach efforts in California for 2023 and 2024.

During this quarter, Uber has reached out to 112 organizations, marking 20 new initial touchpoints and 92 follow-ups with organizations that had previously been approached. Out of the 92 follow-ups, 5 responses were received which resulted in scheduled engagements.

In this quarter, the emphasis has primarily been on individualized discussions, largely initiated at the request of the senior leadership at the respective organizations. It was conveyed that a comprehensive understanding of the UberWAV service was essential before contemplating the distribution of information to their broader member bases. These focused discussions resolved specific queries and concerns raised by the leaders of organizations, establishing a foundational understanding for potential focus group engagements with a wider audience.

In alignment with Uber's updated Annual Outreach Plan and expanding the discourse to gain diverse insights, preparations are underway to organize focus groups for the next quarter. Three organizations have expressed preliminary interest in participating in broader focus group discussions, and efforts are ongoing to finalize schedules and ensure subsequent collaborations.

Feedback and Response

During this quarter, feedback was received from the Independent Living Center concerning the visibility of disability-related services on Uber's official website. The Center observed that there was no information readily available on the homepage about such services, which could potentially hinder persons with disabilities from learning about them. The concern highlighted was regarding the accessibility and visibility of information and services specifically designed for individuals with disabilities.

Acknowledging the feedback received, Uber acted promptly to suggest an interim solution by recommending users search for "UberWAV," a service designed to provide wheelchair-accessible vehicles. The suggestion serves as a temporary measure to access detailed information on the service and its availability across different counties. The feedback has been conveyed to the relevant teams for their review.

Reflecting on the Past Quarter: Insights and Developments

Effective Engagement Methods:

Through the course of the past quarter, follow-up emails emerged as particularly effective means of maintaining dialogue and securing broader group meetings post the initial engagement. These methods facilitated the detailed provision of context and insights, effectively highlighting the value proposition of UberWAV. The detailed conversations allowed for a greater understanding and appreciation of the services provided, fostering an environment conducive to more expansive and inclusive discussions. This approach ensured the conveyance of our commitment to accessibility and allowed us to address specific concerns and queries meticulously.

Recurring Concerns and Queries:

During the engagements, several common concerns and questions were brought forth by the organizations. The availability of UberWAV in specific regions was a recurrent topic, with organizations seeking clarity on the regions we serve. There were also inquiries about the functionality of UberWAV on the app and how users interact with it when booking. Discussions with organizational leaders also centered around the necessity for driver training programs, especially focusing on catering to individuals with developmental disabilities. The potential for partnerships with public organizations and local jurisdictions was explored, particularly in the context of addressing accessibility issues and enhancing the exposure and availability of Uber services.

Challenges and Strategies:

A significant challenge encountered has been the delayed responses from organizations. To mitigate this, we meticulously reviewed all organizations that have been approached since Q1 of 2022, isolating those that have already received presentations and focusing our efforts on those that haven't engaged. This strategic refinement led to the dispatch of 92 follow-up emails this quarter, aimed at reinitiating dialogue and fostering engagement. This approach is aimed at ensuring that no opportunity for collaboration and dialogue is missed, and every organization is provided the ability to engage, understand, and collaborate with us on our initiatives.

Moving forward, our strategy revolves around sustained engagement, utilizing feedback to refine our approach, and ensuring the continuity of dialogue through structured follow-ups and enriched focus group discussions.

Key outreach initiatives during the third quarter of 2023 included:

- Proactive interaction with key stakeholder entities including independent living organizations, accessibility groups, state agencies, community service providers, and community-based organizations, utilizing communication channels such as email and newsletter updates, phone calls, and providing presentations and Q&A sessions.
- **Reached out to 112 organizations**, including 20 first-time interactions and 92 follow-up engagements.
- Deployed a rigorous follow-up strategy, involving the isolation of organizations that had already received presentations and re-engagement with those that hadn't. This led to the dispatch of 92 follow-up communications within this quarter, aiming to clarify, inform, and address any outstanding issues or concerns related to UberWAV.
- Successfully conducted 6 presentations this quarter, which served as platforms for clarifying the exclusive features and advantages of UberWAV and for addressing the specific inquiries and concerns of the participating entities.
- Opportunities for post-engagement involvements, such as seminars or workshops, were explored, and continuous dialogues were held with stakeholders about the possibility of having an Uber representative present our services to their memberships. This included extending support in event coordination to further our reach and fortify our impact.

Speaking Engagements

Between July and September 2023, the UberWAV outreach program expanded its efforts to engage with various stakeholder organizations, such as accessibility groups, veteran disability groups, local agencies, community service providers, and community-based organizations. The program conducted a second round of outreach to ensure that all opportunities to present UberWAV's accessibility features were captured.

Center for Independent Living

In our recent discussion with Owen Kent, a Board Member at the Center for Independent Living, we had the chance to present UberWAV. Owen was pleasantly surprised to discover that the pricing for UberWAV and UberX is identical. Recognizing the extensive reach of UberWAV, he referred us to Natalie Maxwell, the center's transportation specialist, for a more detailed discussion on transportation needs, given her extensive knowledge in this area. Owen conveyed the center's enthusiasm in collaborating with private entities. He spoke of previous fruitful collaborations and indicated a keen interest in forging new partnerships.

Greater Opportunities

During a speaking engagement with Mina Karim from Greater Opportunities, a series of questions were posed about Uber's wheelchair-accessible vehicle service, UberWAV. The inquiries uncovered that the service is certified by a third party and, although it mirrors UberX in pricing, it benefits from state subsidies. To access this specialized service, users can select UberWAV directly from the Uber app. The dialogue included queries about potential collaborations between Uber and regional centers of the Department of Disability in California, especially considering the noted deficiencies in the quality and availability of current transportation services for individuals with disabilities. Discussions emphasized the critical need for personnel trained to assist individuals using motorized scooters and other mobility devices respectfully and effectively. It was also discussed how organizations could leverage subsidies to collaborate with Uber and create accounts to provide rides for their members, aiming to enhance the inclusivity and quality of transportation services for individuals with disabilities. The dialogue brought forth the substantial potential for UberWAV to fill existing service gaps and elevate transportation standards for the differently-abled community.

Center for Independence

A discussion was facilitated with Patrick Carbullido, Director of Operations at the Center for Independence, centering on the availability of UberWAV in their region, and the possibility of providing collateral materials for member distribution. The dialogue encompassed public safety concerns and indicated a mutual interest in continual collaboration and further presentations, focusing on the transportation challenges experienced by their members.

Disabled Person Inc.

A conversation with Michael Corso, President of Disabled Person Inc., involved discussions about the functionality of UberWAV on the app and its availability across California. Mr. Corso suggested the development of partnerships with public organizations and local jurisdictions to address accessibility issues and to explore contracts with service providers. He also proposed reaching out to cities and other ridesharing services, such as Lyft, to aggregate demand and streamline service provision.

Paralyzed Veterans of America California Chapter

Discussion with Martha Varela, Executive Director of the Paralyzed Veterans of America California Chapter, explored the potential for increasing Uber's exposure by facilitating engagement with other Veteran Affairs programs. Ms. Varela invited Uber to their weekly chapter chats to present to their members. Ms. Varela also expressed interest in establishing a corporate account for the California Chapter to potentially offer more affordable services to low-income disabled veterans requiring transportation.

Developmental Disabilities Council

Dialogue with Vi Ibarra, Executive Assistant to the Developmental Disabilities Council, was centered around service availability in the regions they serve and included inquiries regarding the specialized training of UberWAV drivers for developmental disabilities and the pricing model of the services. The conversation aimed to explore the customized needs and align services and training protocols to cater effectively to a diverse user base.

Program Information and Community Group Outreach

The outreach team has established a network of over 350 stakeholders across California who receive regular program updates, provide feedback, and help spread the word about UberWAV. During presentation opportunities, Uber utilizes its UberWAV presentation deck to engage with stakeholder groups and educate them about the program. The deck provides an introductory overview of UberWAV, highlighting its features and benefits. It also includes detailed instructions on how to use UberWAV, with step-by-step guidance on booking a ride and what to expect during the ride. The presentation emphasizes the intent of State Bill 1376, which requires transportation network companies to adopt wheelchair-accessible vehicles on their platforms, highlighting the significance of the UberWAV program and Uber's commitment to improving accessibility and inclusivity for riders with disabilities. (See Section A)

To identify outreach opportunities that effectively reach disabled consumers, Uber has actively sought input from these stakeholders. To support these efforts, Uber has provided a California-specific instructional fact sheet on accessing UberWAV to stakeholder organizations and has prepared English, Spanish, and Mandarin versions of the sheet for distribution. (See Section B)

In addition to these resources, Uber has created a dedicated webpage for UberWAV and an accessibility webpage that provides regular updates on new products, features, and initiatives aimed at improving the mobility and independence of riders with disabilities. These digital resources are available in four languages and include Frequently Asked Questions, tools for consumers, and a step-by-step explanation of how to use the service. The user-friendly design provides a comprehensive guide to using UberWAV, highlighting Uber's commitment to improving accessibility for all riders. (See Section C). Additionally, Uber has undertaken marketing efforts to expand awareness of UberWav offerings through its social media post (see Section D) and by including it in our general mass marketing email campaigns (see Section E).

Finally, to help summarize Uber's various efforts throughout the quarter, Uber is attaching a chart showing its progress towards its quarterly goals established in its outreach plan. (See Section F)



Intros

Seth Smith

Manager, California Public Policy seth.smith@uber.com



01 What is WAV?
02 How to ride with UberWAV
03 SB 1376 (2018) Access For All
04 Uber + Public Transit
05 Q&A

Accessibility using Uber

Our technology and the transportation provided by drivers has transformed mobility for many people with disabilities, and we're committed to continuing to develop technologies that support everyone's ability to easily move around their communities.



Riders with disabilities

Uber's technology is helping to increase mobility and independence for riders with disabilities, with features and capabilities like these:

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Cashless payments

Uber's cashless payment option simplifies the payment process, reducing the need for riders to worry about counting out cash or exchanging bills with a driver.

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Anti-discrimination policies

Every trip request a rider makes is automatically matched to a nearby driver by the Uber app, reducing opportunities for unlawful discrimination to interfere with the process of securing reliable, affordable transportation.

Wait time fee waivers

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Riders with disabilities, or individuals who frequently accompany riders with disabilities on trips, can request a waiver of wait time fees for their accounts by submitting a <u>certification</u>.

On-demand transportation The Uber app makes it easier for riders with disabilities to get from A to B at the touch of a button. They no longer have to arrange rides through a dispatcher or resort to other, less convenient, means of finding a ride.

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Service animal policies For riders who are blind or low-vision and may be traveling with service animals. Uber's Community Guidelines and Service Animal Policy clearly require drivers to comply with all applicable laws regarding the transportation of service animals.

Upfront pricing

Uber uses upfront pricing to let riders know the cost of their trip before they request a ride. This gives them peace of mind and helps eliminate the risk of fraud.

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Share your ETA and location

Riders can easily share their ride details, including the specific route and estimated time of arrival, with loved ones for extra peace of mind. Friends or family members will receive a link where they can see the driver's name, photo, and vehicle information, and track where the rider is on the map in real time until they arrive at their destination-all without downloading the Uber app.

Riders with mobility disabilities

We're using technology to make transportation more accessible and reliable for riders with mobility disabilities, including through WAV (wheelchair-accessible vehicles).

Read more

S,

Equipped vehicles

Uber's WAV lets riders who use non-folding motorized wheelchairs connect with drivers in wheelchair-accessible vehicles equipped with ramps or lifts.

8

Available around the world

We're using several WAV models in cities around the world (including Bangalore, Boston, Chicago, London, Los Angeles, New York, Philadelphia, San Francisco, Toronto, and Washington, DC) to determine which wheelchair-accessible vehicle options best meet the needs of riders and drivers.

Uber WAV

WAV provides affordable rides in wheelchair-accessible vehicles, where available.

We're committed to developing solutions that support everyone's ability to easily move around their communities. Riders who use motorized wheelchairs or scooters can in certain cities* request a ride in a wheelchair-accessible vehicle (WAV). WAV driver-partners are certified by a third party in safely driving and assisting people with disabilities.



Why ride with Uber WAV

When and where WAV is available, request a ride

on demand that works around your life, not the

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Fast, flexible rides

other way around.

Trips that fit your budget

The price of a WAV ride in the Uber app is comparable to UberX, our basic ride option.

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Specialized drivers to assist you

Every person driving with Uber WAV has completed a certification course offered by a third party to help you enter and exit the vehicle.*

How to ride with WAV

Read more about how riding works

1. Request

Open the app and enter your destination in the "Where to?" box. Once you confirm your pickup and destination addresses are correct, select WAV at the bottom of your screen (a promo code is required in some cities). Then tap **Confirm WAV**.

If a WAV driver is available and accepts your ride request, you'll see your driver's picture and vehicle details and can track their arrival on the map.

2. Ride

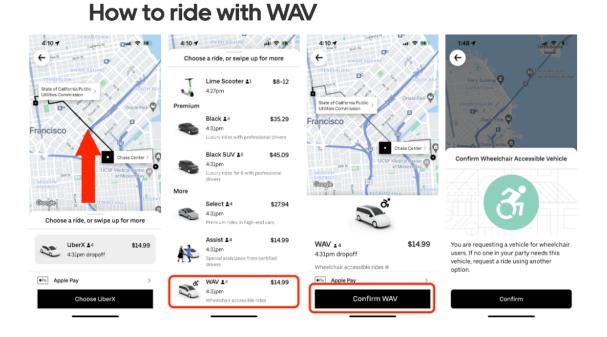
Check that the vehicle details match what you see in the app before getting in your WAV.

Your driver has your destination and directions for the fastest way to get there, but you can always request a specific route.

3. Exit the vehicle

You'll be automatically charged through your payment method on file, so you can exit your WAV as soon as you arrive.

Remember to rate your driver to help keep Uber safe and enjoyable for everyone.



Intent of State Bill 1376

"It is the intent of the Legislature that wheelchair users who need WAVs have prompt access to TNC services, and for the commission to facilitate greater adoption of wheelchair accessible vehicles on transportation network companies' online-enabled applications or platforms."

SB 1376 (2018), Section 3 (adding Public Utilities Code Section 5440(j))

TNC Remittance Offset: Quarterly Evaluation Criteria

Presence & Availability of Drivers with WAVs and Improved Level of Service

- Hours of WAV service
- WAV drivers
- WAV Trips
- · Response Time on WAV

Publicize WAV Services to the Disability Community

 Efforts taken by TNC to publicize and promote WAV service to disability communities

Accounting of Funds Expended

 Provide a statement of account for funds expended prepared in accordance with generally accepted accounting principles



Thank you

Seth Smith (seth.smith@uber.com)

Uber

Section B: UberWAV Public Information Materials - Digital Fact Sheet



nte habilitado para personas con sillas de ruedas motorizadas y socoters en el Condado Los Ángeles y en el a Bahía de San Francisco: los condados de San Francisco, Alameda, Contra Costa, Santa Clara, San Mateo, área de la Bahía de San Francisco: los condad Marín, Sonoma, Solano, Napa y Santa Cruz.





Section C: UberWAV Public Information Materials - Webpage

Uber Products Company Safety Help COVID-19 resources

😵 EN ္ Log in 🛛 Sign up

WAV

WAV provides affordable rides in wheelchair-accessible vehicles, where available.

We're committed to developing solutions that support everyone's ability to easily move around their communities. Riders who use motorized wheelchairs or scooters can in certain cities* request a ride in a wheelchair-accessible vehicle (WAV). WAV driverpartners are certified by a third party in safely driving and assisting people with disabilities.



sign up to ride

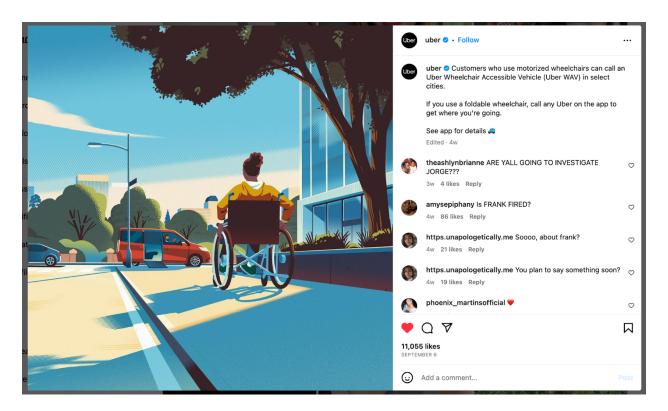
Uber Products Company Safety Help



Accessibility at Uber

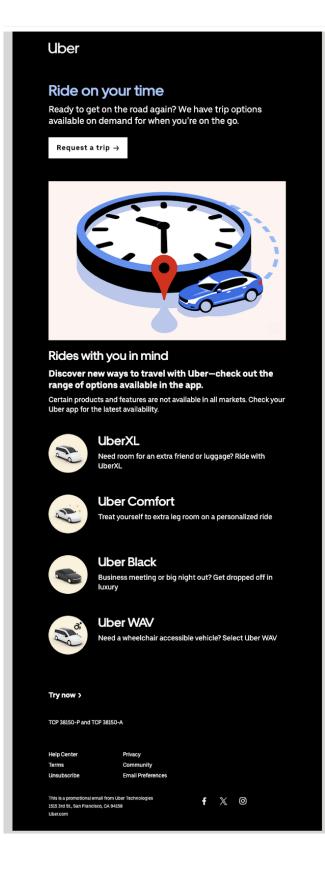
Our technology has transformed mobility for many people with disabilities, and we're committed to continuing to develop solutions that support everyone's ability to easily move around their communities.*





Section D: UberWAV Public Information Materials - Social Media Post

Section E: UberWAV Public Information Materials - Emails



	Objective / Quarter	Q3 2023
1.1	Conduct initial email outreach to at least 20 stakeholder groups per quarter	Email Outreach: 112 SGs contacted Presentation Outreach: 6 SGs contacted
1.2	Conduct at least 1 tailored follow-up meeting with responsive stakeholder groups per quarter (4 per year), highlighting UberWAV's features and addressing any specific questions from stakeholders or organizations.	
1.3	Collect continuous feedback from stakeholder groups and riders in digital and virtual forms of engagement (via in-app support for riders, Uber's custom feedback form, email input).	
2.1	Collaborate with local organizations on at least 1 joint outreach initiative per quarter (4 per year).	
2.2	Conduct at least 1 focus group or listening session per quarter (4 per year) with representatives from non-traditional disability communities.	Leaders requested more intimate meetings to resolve specific queries and concerns, establishing foundational knowledge prior to advancing to larger focus group engagements.
2.3	Engage at least 1 consultant specializing in stakeholder outreach and participation annually to optimize Uber's interaction strategies.	Ŋ
3.1	Provide multilingual materials in three primary languages (English, Spanish, Mandarin-Chinese) to disability advocacy groups in multi-ethnic communities where English is not the predominant language.	Yes: Uber has prepared materials in English, Spanish and Mandarin Chinese for distribution
3.2	Launch at least one mass email campaign per month highlighting UberWAV (with aim to reach at least 30,000 riders per quarter)	38,537 rider emails sent this quarter
3.3	Publish at least one piece of social media content per quarter promoting UberWAV (with aim to reach at least 100,000 impressions per quarter)	113,626 impressions through Instagram post
3.4	Partner with a social media influencer once per year to raise awareness of UberWAV and accessibility issues more broadly	In progress
4	Monitoring and Evaluation	
Deliverable	 What methods of engagement did the TNC find most effective and why? What common concerns/questions came up during the engagement process? What challenges have you encountered? How do you plan to overcome them? 	During this quarter, Uber has reached out to 112 organizations via email, marking 20 new initial touchpoints and 92 follow-ups with organizations that had previously been approached. We found email to be the most effective method of initial outreach. Out of the 92 follow-ups extension to the organizations provided VMS presentations to 4 organizations and 1 provided VMS presentations to 4 organization A concern raised during the engagement process was ability of VMS information on the Uber website homepage. The feedback has been conveyed to the relevant teams for review. Common questions from organizations include average wait times, cost, and driver training.

Section F: UberWAV Progress Toward Quarterly Goals