



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

MEMORANDUM

TO: Service List in TNC Rulemaking, D.P.U. 26-90

FROM: Zachary J. Caunter, Hearing Officer

RE: First Technical Conference Agenda

DATE: June 12, 2026

CC: Peter A. Ray, Secretary

On April 24, 2026, the Department of Public Utilities (“Department”) issued an Order opening a rulemaking to amend the Transportation Network Companies (“TNC”) regulations (“Order”).¹ The Order established two public hearings and solicited public comments on the proposed regulations. These public hearings were held on June 8, 2026 and June 11, 2026. Additionally, the Order announced a separate technical conference to be held on June 22, 2026, seeking to facilitate a conversation about TNC electrification requirements.²

¹ Investigation by the Department of Public Utilities, on its own motion, instituting a rulemaking pursuant to the G.L. c. 30A, § 2; G.L. c. 25, § 2; and 220 CMR 2.00 to amend the Transportation Network Companies regulations at 220 CMR 274.00, and to promulgate Suitability Standards for Transportation Network Drivers at 220 CMR 275.00, Transportation Network Company Practice and Procedures at 220 CMR 276.00, and Transportation Network Vehicle Electrification at 220 CMR 277.00. D.P.U. 26-90.

² In general, at a Department technical conference, stakeholders may discuss technical, implementation, data, or other issues; and notices for such conferences may sometimes specify that the public may observe, but that public comments will not be taken. A public hearing, by contrast, is a formal opportunity for public comment in a Department proceeding, held when required by statute or regulation, or at the Department’s

June 22, 2026 Technical Conference

The Department will convene an in-person technical conference at our offices starting at 10:00 a.m. at One South Station, 3rd Floor Hearing Room, Boston, MA 02110. A technical conference is a gathering of stakeholders facilitated by the Department, which will involve Department questions to stakeholders and an opportunity for discussion. The technical conference will not be recorded and there will not be a court reporter or transcript.

The Department requests that any stakeholders seeking to provide a presentation regarding transportation electrification during the technical conference should notify the Department no later than the close of business on June 16, 2026 by emailing Hearing Officer Zachary Caunter at Zachary.Caunter@mass.gov. Stakeholders are welcome to participate in the technical conference by offering verbal comments and questions related to technical issues separate from a presentation and they are not required to provide advance notice. Below is the agenda for the Technical Conference on June 22, 2026:

1. Opening Remarks
2. Transportation Electrification Discussion
 - a. Presentations by Stakeholders
 - b. Discussion of Electrification Targets
 - c. TNC Biennial Plans and Annual Reports
3. Driver Background Check Requirements Discussion
4. TNC Operational Costs Discussion
5. Discuss Agenda for Next Technical Conference
6. Closing Remarks and Next Steps

The Department intends to have a mid-morning break, a break for lunch around 1:00 p.m., and a mid-afternoon break. The technical conference will conclude no later than 5:00 p.m. and will end earlier if we get through the agenda in less time.

Future Technical Conference and Additional Process

On May 17, 2026, the App Driver's Union ("ADU") submitted preliminary comments ("ADU Comments"), and made two requests:

1. That the Department "withdraw its proposed amendments and additions to [220 CMR 274.00-276.00]"; and
2. That the Department "postpone rulemaking on these subjects until after the Secretary of Labor has issued a Final Determination approving the agreement reached between ADU and the TNCs regarding drivers' terms and conditions of work pursuant to G.L. c. 150F ("Chapter 150F")."

ADU asserts that the Department's proposed regulations related to "deactivations, background checks, hours of work, and other subjects will have a distorting impact on the collective bargaining process under [G.L. c. 150F]." ADU Comments at 2. In support of these requests, ADU states that any agreement reached between ADU and the TNCs, and approved by the Secretary of Labor, has the force of law and could create conflict with the Department's regulations. They suggest that these proposed regulations may still negatively impact and distort negotiations by influencing arbitrators and that withdrawal of these proposed regulations will "result in a more productive rulemaking process from a public engagement and policy making perspective." ADU further proposes that such a withdrawal would not unduly delay implementation of the proposed regulations.

When adopting, amending, or repealing regulations, Department rulemaking process is governed by 220 CMR 2.00. Once a rulemaking is opened, any interested person may submit comments or provide oral testimony in connection with the proposed regulations. 220 CMR 2.05(2). As this is not an "adjudicatory proceeding" as defined by G.L. c. 30A, § 1(1), the Department receives ADU's request for a withdrawal of these proposed regulations as a public comment. See 220 CMR 1.01(3).

The Department agrees that it would be beneficial for all stakeholders to this rulemaking to convene to discuss outstanding technical matters, including potential minimum requirements related to a TNC's driver deactivation process and deactivation reporting requirements by TNCs to the TNC Division of the Department. **Accordingly, the Department will schedule a second technical conference on a date to be announced in the future to ensure adequate time to address all technical issues.**

The Department will follow the progress of the discussions between the ADU and the TNCs regarding drivers' terms and conditions of work pursuant to Chapter 150F. If necessary, the Department will schedule additional technical conferences and allow for another round of comments on a narrow set of issues. A detailed agenda will be distributed in advance of each technical conference.

