BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of) DOCKET TC-120849
CWA, INC., DBA TRAVEL WASHINGTON GRAPE LINE AND TRAVEL WASHINGTON GOLD) ORDER 01)
LINE,)) ORDER GRANTING
Requesting Forbearance from Rate and Service Regulation as an Auto Transportation Company Under RCW 81.68.015) ORDER ORALITING) FORBEARANCE FROM RATE) AND SERVICE REGULATION AS) AN AUTO TRANSPORTATION) COMPANY)

BACKGROUND

- I On June 8, 2012, CWA, Inc., dba Travel Washington Grape Line and Travel Washington Gold Line (CWA or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition in Docket TC-120849, requesting that the Commission forbear from rate and service regulation under RCW 81.68.015.
- 2 RCW 81.68.015 states that Commission authority over auto transportation companies "... does not apply to a service carrying passengers for compensation over any public highway in this state between fixed termini or over a regular route if the commission finds, with or without a hearing, that the service is provided pursuant to a contract with a state agency, or funded by a grant issued by the department of transportation, and that exemption from this chapter is otherwise in the public interest."
- *3* If the Commission grants forbearance from rate and service regulation, the Company would provide service under a charter permit pursuant to RCW 81.70, which the Company already holds.
- 4 The Commission published a notice of this request in the Docket on August 14, 2012, seeking public comment. The Commission received no comment.
- 5 Travel Washington Grape Line provides regularly scheduled auto transportation service between Walla Walla and Pasco under Certificate C-063162. If the Commission grants forbearance to rate regulation, the Commission would cancel Certificate C-063162 for Travel Washington Grape Line and the associated tariff and time schedule.

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- Although Travel Washington Gold Line has provided regular scheduled auto transportation service between Kettle Falls and Spokane region of northeastern Washington State, with stops in Kettle Falls, Colville, Arden, Addy, Chewelah, Loon Lake, Deer Park, Spokane and Spokane Airport along US Highway 395 since October 2011, the Company did not file or obtain an auto transportation certificate and therefore does not currently hold authority to provide this service.
- 7 Commission Staff's analysis concludes the services provided by CWA dba Travel Washington Grape Line and Travel Washington Gold Line are provided by contract with the Washington State Department of Transportation (Department) and funded by grant monies from the Department. Considering all the facts and information presented in CWA's petition, Staff concludes the Company's request is in the public interest and recommends the Commission grant the Company's petition for relief from rate and service regulation as an auto transportation company.

FINDINGS AND CONCLUSIONS

- 8 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including auto transportation companies. RCW 80.01.040, RCW 81.01, RCW 81.04, RCW 81.28, RCW 81.68 and RCW 81.70.
- 9 (2) The services CWA provides fall within the scope of an auto transportation company and a public service company subject to Commission jurisdiction.
- 10 (3) This matter was brought before the Commission at its regularly scheduled meeting on September 13, 2012.
- (4) After review and analysis of the petition for an exemption filed in Docket TC-120849 by CWA and giving due consideration of all facts presented by the Company's petition and the criteria established by RCW 81.68.015, the Commission finds that the services offered by CWA are provided by contract with a state agency, and funded by a grant issued by the Washington State Department of Transportation and finds that the forbearance from rate and service regulation is in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

- (1) The Commission grants forbearance from rate and service regulation of CWA, Inc., dba Travel Washington Grape Line and Travel Washington Gold Line under RCW 81.68.015.
- (2) CWA, Inc., dba Travel Washington Grape Line and Travel Washington Gold Line's auto transportation certificate C-063162, tariff and time schedule are cancelled at 12:01 a.m. on September 14, 2012.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective September 13, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary