

COMMENTS OF SEATAC SHUTTLE, LLC REGARDING  
Rulemaking to Consider Rate Setting Flexibility and Competition for  
Auto Transportation Companies in WAC 480-30, Docket TC-121328

September 17, 2012

It is the opinion of this company, that the rule making as proposed will be universally opposed and rejected by all regulated companies. The commission by this proposal has acknowledged that which this company has been stating for years, that the regulatory flexibility exists within the current code to once and for all get rid of the 93/7 ratio methodology. No legislation is necessary. This fixation which the commission has in tying any change in rate making procedure to a reduction in authority is totally unjustified. The word "MAY" mean just that, it specifies option and not a fixed, pre-determined course of action. Yet this word is overlooked by staff and the commission with regard to rate making process. 81.04.250 invokes the term "may" but it is lost with regard to implementation. In the current instance, the "banded methodology" was proposed by staff at a stakeholder's meeting and embraced, in principle, by the stakeholders as a substitute for the 93/7 travesty. Staff was adamant that some relaxation in entry or territorial protections must accompany the change to a banded methodology but was unable to make any suggestions along those lines. The current proposal allows for the election of banded rates by a certificate holder but in order to make that election the company must abandon all entry and territorial protections. Additionally it must proclaim its band and base rate on its web site to the public. This I can only see as a punitive measure designed to frighten customers into speculating about fares and abandoning shuttle service. No operator will or can raise its rates to the extent of the band, but that will be lost upon the customers.

While we still endorse the concept of banded rates as proposed, we cannot endorse continued rate regulation in the absence of any entry or territorial protection. If a reasonable proposal were put forth we would certainly examine it with open arms. Until such time as the commission can offer up a balanced approach we see no need to further examine this proposal as we consider it fatally flawed.

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