

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

SPEEDISHUTTLE WASHINGTON,
LLC, d/b/a SPEEDISHUTTLE
SEATTLE

Petitioner,

Seeking Exemption from the Provisions
of WAC 480-30-186(2)(a) Relating to
Notice Requirements for Temporary
Service Discontinuation

DOCKET TC-171144

ORDER 01

ORDER GRANTING
EXEMPTION FROM RULE

BACKGROUND

- 1 On November 20, 2017, Speedishuttle Washington, LLC d/b/a Speedishuttle Seattle (Speedishuttle or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting: 1) to temporarily discontinue service, and 2) an exemption from Washington Administrative Code (WAC) 480-30-186, which requires a company requesting approval to discontinue operations to give at least 30 days written notice to the Commission, its customers, and officials of cities and counties where affected passengers ride (Petition).

- 2 In its Petition, Speedishuttle explains that it has incurred legal fees exceeding \$300,000 defending its certificate in Consolidated Dockets TC-143691, TC-160516, and TC-161257, an adjudication initiated when Shuttle Express, Inc. (Shuttle Express) filed a formal complaint against the Company. Speedishuttle states that its operations are not financially viable as long as its certificate is “clouded” by ongoing litigation. Speedishuttle requests the Commission allow it to temporarily suspend its operations until six months from the date when Shuttle Express has exhausted all of its appeals related to the Commission’s recent final order in Consolidated Dockets TC-143691, TC-160516, and TC-161257.¹ Speedishuttle further explains that all customers who had made reservations for auto transportation service have been notified that service will be discontinued, prepayments have been refunded, and customers have arranged alternative transportation.

¹ The Commission entered its final order in these consolidated dockets on November 17, 2017.

3 On November 21, 2017, the Commission convened a special open meeting to address
only the Company's request for an exemption from the notice requirements in WAC 480-
30-186(2)(a). Commission staff (Staff) reviewed the request and recommends the
Commission grant an exemption. Staff noted that the Company has provided written
notice to its customers via its website and removed its kiosk at SeaTac Airport. In
addition, the Commission has not received any complaints from Speedishuttle customers
related to its discontinuation of service.

DISCUSSION

4 We grant Speedishuttle's Petition for an exemption from the 30 day notice requirement
prior to temporarily discontinuing its service. We are satisfied that Speedishuttle has
notified its customers, provided refunds when required, and ensured that customers made
alternate transportation arrangements. As Speedishuttle notes in its Petition, there are
numerous alternative transportation options to and from SeaTac Airport, including other
auto transportation companies, public transportation, transportation network companies,
and taxis. Accordingly, the public interest is best served by granting the exemption rather
than penalizing the Company for harm that did not occur.

5 We further waive the requirement that Speedishuttle notify city and county officials
where affected passengers reside. Given the competitively saturated environment in
which Speedishuttle operates, we find that notice to the Commission and affected
customers is sufficient to prevent consumer harm.

6 The Commission will hear Speedishuttle's Petition to temporarily discontinue its service
on a later date at a regularly scheduled meeting. In the interim, we require Speedishuttle
to notify the Commission at least seven business days in advance if the Company decides
to resume operations before the Commission acts on its Petition to temporarily
discontinue service.

FINDINGS AND CONCLUSIONS

7 (1) The Commission is an agency of the State of Washington vested by statute with the
authority to regulate the rates, rules, regulations, practices, accounts, securities,
transfers of property and affiliated interests of public service companies, including
auto transportation companies.

- 8 (2) Speedishuttle is an auto transportation company subject to Commission jurisdiction.
- 9 (3) Speedishuttle is subject to WAC 480-30-186(2)(a), which provides that the Company must provide the Commission, customers, and officials of cities and counties where affected passengers ride with 30 days' written notice prior to discontinuing service.
- 10 (4) Under WAC 480-30-046, the Commission may grant an exemption from the provisions of any rule in WAC 480-30 consistent with the standards and procedures set out in WAC 480-07-110.
- 11 (5) This matter came before the Commission at a special meeting on November 21, 2017.
- 12 (6) After reviewing the petition filed in Docket TC-171144 by Speedishuttle on November 20, 2017, and giving due consideration, the Commission finds that granting Speedishuttle's request for an exemption from WAC 480-30-186(2)(a) is in the public interest, is consistent with the purposes underlying the regulation and applicable statutes, and should be granted.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The Commission grants Speedishuttle Washington, LLC d/b/a Speedishuttle Seattle's request for an exemption from the notice requirements in WAC 480-30-186(2)(a).
- 14 (2) Speedishuttle Washington, LLC d/b/a Speedishuttle Seattle must notify the Commission at least seven business days prior to resuming operations.
- 15 (3) The Commission retains jurisdiction over the subject matter and Speedishuttle Washington, LLC d/b/a Speedishuttle Seattle to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective November 21, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

ANN E. RENDAHL, Commissioner

JAY M. BALASBAS, Commissioner