

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of)	DOCKET TC-140403
)	
SEATAC SHUTTLE, LLC dba)	ORDER 01
Whidbey-Seatac Shuttle)	
)	
)	ORDER APPROVING FLEXIBLE
for Flexible Ancillary Charge or Fee)	ANCILLARY CHARGE OR FEE
.....)	

BACKGROUND

- 1 On August 21, 2013, the Washington Utilities and Transportation Commission (Commission) adopted and amended rules in WAC 480-30 relating to passenger transportation companies in Docket TC-121328. The rules became effective on September 21, 2013.

- 2 One of the new rules, WAC 480-30-420, Fare Flexibility, allows an auto transportation company to offer flexible fares for regulated services. The rule change allows a company operating under a flexible fare tariff to charge any fare up to a maximum fare, calculated as 25 percent over the published or base fare in the Company’s tariff prior to Commission approval of the flexible fares.

- 3 On October 15, 2013, the Commission issued a letter to the auto transportation industry stating WAC 480-30-420, Fare Flexibility, allows an auto transportation company to file a flexible tariff for ancillary charges or fees that includes maximum charges or fees, calculated as 25 percent over the published ancillary charge or fee in the Company’s tariff. An ancillary charge or fee is any charge in a company’s tariff except for the actual fare for the transportation of a person. Examples of ancillary charges or fees include, but are not limited to the following: processing fee, refund fee, baggage charges, cancellation fee, reservation fee or administrative fee, etc.

- 4 On March 13, 2014, Seatac Shuttle, LLC dba Whidbey-Seatac Shuttle (Seatac Shuttle or Company) filed with the Commission revisions to the Company’s currently effective Tariff No. 5 requesting to implement flexible fees for its national security fee and various reservation fees. The requested effective date for Tariff No. 5 is April 14, 2014.

- 5 Commission Staff reviewed the filing and agrees that the proposed revised tariff sheets accurately depict the Company’s published national security fee and various reservation

fees and implements the allowable 25 percent maximum fees under WAC 480-30-420. Staff recommends that the Commission approve the flexible national security fee and various reservation fees in Tariff No. 5 for Seatac Shuttle and allow the tariff sheets filed on March 13, 2014, to become effective on April 14, 2014, as requested.

DISCUSSION

- 6 The Commission agrees that Seatac Shuttle has demonstrated that its proposed flexible ancillary fees in Tariff No. 5 comply with WAC 480-30-420. The maximum national security fee and various reservation fees do not exceed 25 percent of currently approved and published amounts. Under our new auto transportation company rules, no further review is required.
- 7 By approving a flexible national security fee and various reservation fees in Tariff No. 5 for Seatac Shuttle, the Commission is not approving or establishing any specific fee or charge. Our approval empowers Seatac Shuttle to charge varying national security fee, and various reservation fees, as determined by actual market conditions. We are granting the Company discretion to charge any varying national security fee and various reservation fees it deems appropriate, up to the established maximum fee. Thus the Company, not the Commission, will establish the specific national security fee and various reservation fees for its customers.
- 8 The Commission will monitor the implementation of the flexible varying national security fee and various reservation fees to ensure that Seatac Shuttle is providing service to the satisfaction of the Commission. We remain sensitive to the needs of auto transportation customers and trust that implementation of flexible tariffs will continue to provide fair, just, and reasonable rates for them.

FINDINGS AND CONCLUSIONS

- 9 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, regulations, and practices of public service companies, including auto transportation companies.
- 10 (2) Seatac Shuttle is an auto transportation company and a public service company subject to Commission jurisdiction.

- 11 (3) On March 13, 2014, Seatac Shuttle filed a flexible national security fee and various reservation fees in its Tariff No. 5.
- 12 (4) This matter came before the Commission at its regularly scheduled meeting on April 10, 2014.
- 13 (5) Seatac Shuttle has demonstrated that its proposed maximum national security fee and various reservation fees do not exceed 25 percent of its currently published tariff.

ORDER

THE COMMISSION ORDERS:

- (1) The tariff revisions Seatac Shuttle, LLC dba Whidbey-Seatac Shuttle, filed in this docket on March 13, 2014, shall become effective on April 14, 2014.
- (2) In providing notice to consumers or in its advertising, Seatac Shuttle, LLC dba Whidbey-Seatac Shuttle, shall not state or imply that the Commission approved or established any specific national security fee and various reservation fees.

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

DATED at Olympia, Washington on April 10, 2014, and effective on April 14, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary