

APPENDIX F



STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

March 30, 2012

John Rowley, President
Shuttle Express, Inc.
800 SW 16th Street
Renton, Washington 98057

RE: Independent Contractor Program – Information Request

Dear Mr. Rowley:

In December 2011, Shuttle Express, Inc. (Shuttle Express) filed a request for a tariff revision with the Washington Utilities and Transportation Commission (commission) to increase its rates for auto transportation service (Docket TC-112072). In order to determine if the increased rates are reasonable, commission staff reviewed the company's operations, including its revenues and expenses. During that review, staff discovered revenues and expenses associated with service contracted by Shuttle Express and provided by non-regulated independent contractor-owners. Commission staff assigned to the rate case reports that Shuttle Express considers the service to be regulated door-to-door service, charges customers the company's published tariff rate for door-to-door service, and contracts to provide the service using non-regulated owner-operator drivers and vehicles such as limousines.

At the time of the rate case, commission staff did not have enough information to determine if the independent contractor program is appropriate under the commission's rules and regulations. The purpose of this letter is to request additional information about the program.

By April 30, 2012, please provide the following documents and information:

Independent Contractor Program

1. When did the current independent contractor program begin?

John Rowley
March 30, 2012
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2. In the context of the rate case, Shuttle Express provided commission staff with a copy of the “Shuttle Express, Inc. Independent Contractor Agreement” dated May 22, 2009.
 - a. Is this the most recent version of the agreement?
 - b. Were there earlier versions of this agreement dating back to the program’s inception? If so, please provide copies of each version.
3. Please describe in detail how the independent contractor program works.
4. If not answered in #3 above, please answer the following questions:
 - a. Are the services provided by independent contractors considered regulated service, included within the authority provided to Shuttle Express in its certificate issued by the commission?
 - b. How does Shuttle Express make customer referrals to the independent contractors? What information does the referral include (e.g. customer name, address, telephone number)?
 - c. Do fare tickets or receipts for services provided by independent contractors display Shuttle Express’s name or the independent contractor’s name?
 - d. How are independent contractors paid by Shuttle Express? Please describe the process.
 - e. How does Shuttle Express receive the fares received by customers of the independent contractors? Please describe the process.
 - f. When you spoke with commission staff Mike Young on January 27, 2012, you indicated that drivers are paid a commission for “other services.” Please describe what those services are and the amounts that your company pays independent contractors to provide them.
 - g. What does Shuttle Express charge independent contractors in terms of fees? Please describe the process.
 - h. Please describe the “Preferred Driver” program.
5. Please provide a list of all independent contractors Shuttle Express has contracted with since the inception of the independent contractor program. For each independent contractor, include the following information:
 - a. Name and contact information for the company.
 - b. Beginning and end (if applicable) dates of the independent contractor relationship
 - c. Applicable independent contractor agreement(s) if not the May 22, 2009, agreement.
 - d. The number of referrals Shuttle Express made to the independent contractor over the term of each applicable agreement.
 - e. The number of referrals accepted by the independent contractor over the term of each applicable agreement.

John Rowley
March 30, 2012
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- f. Records of all routes traveled by the independent contractor in providing service subject to the agreement(s).
- g. Copies of all reservation records referred to the independent contractor for services under the agreement(s).
- h. Copies of all invoices submitted by the independent contractor for payment for services rendered under the agreement(s).

Drivers

- 6. Commission staff assumes none of the independent contractor drivers are employees of Shuttle Express. Is this accurate?
- 7. Does Shuttle Express have any minimum qualifications drivers must meet before entering into an independent contractor relationship?
 - a. What are those qualifications?

Vehicles

- 8. Do the independent contractors own or lease their own vehicles? Do any independent contractors lease vehicles from Shuttle Express or companies owned by Shuttle Express?

Insurance Coverage

- 9. It appears the contract requires independent contractors to provide their own liability insurance.
 - a. Is this accurate?
 - b. What levels of insurance does Shuttle Express require independent contractors to maintain?
 - c. Does Shuttle Express verify the independent contractor has the required insurance?
 - i. If so, how?
 - ii. With respect to each independent contractor, please provide documentation of all of the insurance verifications Shuttle Express performed during the past year.
 - d. You previously told commission staff that Shuttle Express holds an “umbrella” insurance policy which would cover the independent contractor drivers in case of an accident. Please describe how this policy works and provide a copy of the insurance policy.

John Rowley
March 30, 2012
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Shuttle Express Trade Marks/Insignia

10. It appears the independent contractor agreement grants independent contractors the use of Shuttle Express's licensed property (e.g., trademarks, trade names, logos, insignias, colors and color combinations).
 - a. Please describe how independent contractors use Shuttle Express's licensed property while fulfilling Shuttle Express referrals.
 - b. Do independent contractors display Shuttle Express's certificate in their vehicles?

Customer Information and Complaints

11. Does Shuttle Express inform customers when service will be provided by an independent contractor?
12. Do independent contractor drivers identify themselves as "Shuttle Express" to customers they transport on referral from Shuttle Express?
13. Please provide copies of all customer complaints Shuttle Express has received based on transportation provided by the independent contractors.

Please direct your response to Betty Young, Compliance Investigator, Transportation Safety, at the Washington Utilities and Transportation Commission, PO Box 47250, Olympia, WA 98504-7250. Ms. Young can be reached at 360-664-1202 or by e-mail at byoung@utc.wa.gov.

Sincerely,



David Pratt
Assistant Director, Transportation Safety

APPENDIX G



May 14, 2012

Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
Box 47250
Olympia, WA 98504-7250
Attention: Betty Young,

RECEIVED

MAY 21 2012

WASH. UT & TP COMM

Re: Independent Contractor Program – Information Request

Dear Ms. Young:

Shuttle Express was born twenty five years ago. At that time the State did not know how to classify its service because it is neither a scheduled service nor a taxi -- it falls some where in between. Shuttle Express serves the public by combining together multiple customer stops from a general area or along a route. Transporting multiple parties using this "share-the-ride" service model means service costs are spread among multiple parties. Fares are then structured on the presumption of multiple stops. The resulting fares are lower than for a service transporting only one party at a time.

To maintain reasonable fares coupled with pay sufficient to retain good drivers, a timely operation is extremely important. Thus, grouping together multiple stops to the airport, and efficiently grouped routing back out of the airport -- in a timely manner -- is absolutely necessary to run a successful transportation business. With poor timing and inefficiency, company costs are increased -- which exerts upward pressure on fares. The end result is poor service and reduced ridership.

Shuttle Express has become very adept to this routing and timing challenge with overwhelming success -- as evidenced by a customer base which has climbed to over 750,000 users. One of the biggest challenges in Seattle and neighboring communities is traffic snarls. Traffic snarls restrict van movement both on local arterials and on state routes. While Shuttle Express maintains reasonable fares, it's operation must also be timely, as airport-bound customers will miss flights if arriving late. Thus, customer's main concern centers around arriving at the airport on time. To help alleviate customer time concerns, Shuttle Express offers a "flight guarantee" that customers will make their flight. On occasion when a van is hung up in traffic or other delays, Shuttle Express uses all its resources as a rescue to transport customers on time for their flight.

Shortly after the birth of Shuttle Express, a plan was devised to rescue customers when delays threatened a missed flight. Initially, Shuttle Express used taxicabs for rescues. Shuttle Express guaranteed the booked tariff to the customer, and paid the taxi company the difference between the taxi fare and the Shuttle Express tariff. After some ten years, Shuttle Express's insurance company informed us that use of a taxi for rescue left Shuttle Express fully liable for any service or safety consequences.

It was clear that Shuttle Express had no control over this taxi use liability. In conversation with the president of a major taxi company we were told that if that company drug tested its drivers, they would probably lose half of them. Clearly, Shuttle Express needed to respond to such liability concerns. At that same time, Shuttle Express had introduced a town car service. Because the taxi industry was in shambles, Shuttle Express totally discontinued using taxis as a rescue resource. From that time forward, Shuttle Express has used only affiliate independent contractors who adhere to strict safety standards of Shuttle Express, who are completely current with state and local licensing, background check, and drug testing requirements, and who are monitored to insure compliance with all the requirements stated in this reply document.

There have been no complaints for upgrading service and honoring fares for customers using an affiliate of Shuttle Express. This service is actually an upgrade which allows travelers to depend on the promised services of Shuttle Express. Without this rescue program, travelers would miss flights, pay higher taxi fares, or pay expensive airport parking fees, and most certainly not use Shuttle Express services to the degree that they do today.

Regulations are not violated, as town cars and limos are licensed to provide single stop service.

Respectfully submitted,

Jimmy Sherrell
President

Encl: Shuttle Express Response to WUTC letter dated March 30, 2012
Independent Contractor Roster
Independent Contractor Agreements (7/14/05, 4/19/07, 9/26/08, 5/22/09)
Shuttle Express Insurance Policy

Shuttle Express Response to WUTC letter dated March 30, 2012**INDEPENDENT CONTRACTOR PROGRAM****1. When did the current independent program begin?**

The first independent contractor signed an Agreement with Shuttle Express on October 31, 2005.

2. In the context of the rate case, Shuttle Express provided commission staff with a copy of the "Shuttle Express, Inc. Independent Contractor Agreement" dated March 22, 2009.

Is this the most recent version of the agreement?

Yes.

Were there earlier versions of this agreement dating back to the program's inception? If so, please provide copies of each version.

There were earlier versions of the Agreement.

7/14/05, 4/19/07, 9/26/08, 5/22/09

Copies attached.

3. Please describe in detail how the independent contractor program works.

Shuttle Express, a transportation company which offers transport via various modes, accepts reservations for "luxury transportation" using executive sedans, SUVs, and six- and eight-passenger limousines. To accomplish the work, Shuttle Express contracts with a number of independent contractors to provide the specific luxury service. Shuttle Express offers specific referrals to available contractors – who either accept or reject an offer of work.

Each contractor, as an independent business, provides all necessary licenses, credentials, permits, vehicle(s), communication devices (smart phones, VMDT units, etc.), fees, and other "tools" needed to perform work as a luxury transportation carrier. As the contractor providing service, each one collects fares for the transportation and pays all expenses associated with running their business from the fares they collect – same as any business would. Those who accept referrals from Shuttle Express pay Shuttle Express a fee for marketing the services, for managing the reservations, for doling out the referrals, and for processing the credit card payments.

Independent contractors serve other transportation companies as well as their own stand-alone business clients.

4. If not answered in #3 above, please answer the following questions:

Are the services provided by independent contractors considered regulated service, included within the authority provided to Shuttle Express in its certificate issued by the commission?

Limousine chauffeurs (the individuals) and carriers (the businesses) are regulated under RCW 46.72A, the Limo Law and WAC 308-83.

How does Shuttle Express make customer referrals to the independent contractors? What information does the referral include? (e.g. customer name, address, telephone number)?

Technology has changed the communication process between Shuttle Express and the contractor businesses. At one time, the referrals were communicated by pager with feedback via cell phone. As smart phones came into existence, a computer program allows for use of smart phone technology via touch-screen smart phones or touch-screen tablets. Presently, communication happens via this VMDT (vehicle Multiple Data Terminal) technology.

VMDT communication includes the obviously-needed name of client, address, phone contact information, airline arrival or departure information, pick-up time, fare information, and any other information needed to support the contractor in providing as quality of service as possible.

Do fare tickets or receipts for services provided by the independent contractors display Shuttle Express's name or the independent contractor's name?

"Fare Tickets" display both names. The ticket is produced by Shuttle Express to be used among a variety of services, but is only used by independent contractors to verify pre-paid reservations and to pass along information regarding clients who are directly billed for service.

Receipts vary. Some contractors use a standard business-card type receipt which is printed by Shuttle Express, and if requested by a client, may use a fare ticket as a receipt. Many contractors use a card which identifies them as an Independent Chauffeur with their own cell number, and a Reservation note to call Shuttle Express as their booking agent. The card also explains to the client how to engage the contractor as their "preferred driver."

Those cards are provided by a contractor at their expense. Shuttle Express does not approve the Shuttle Express logo for use on cards provided by a contractor

How are independent contractors paid by Shuttle Express? Please describe the process.

Independent contractors are NOT "paid" by Shuttle Express. As mentioned above, the contractor collects the fare from the client, pays all their expenses, and keeps the remainder ("profit") for themselves.

How does Shuttle Express receive the fares received by the customers of the independent contractors? Please describe the process.

See the above response. Because Shuttle Express processes credit card payments on behalf of the contractor (which is part of the fee charged by Shuttle Express for their work), excessive monies (from the credit card pre-payments) accumulate at Shuttle Express. Twice a month, Shuttle Express settles accounts with independent contractors, to return credit card monies which belong to them.

When you spoke with commission staff Mike Young on January 12, 2012, you indicated that drivers are paid a commission for "other services." Please describe what those services are and the amounts that your company pays independent contractors to provide them.

Not sure what the reference to "other services" is.

What does Shuttle Express charge independent contractors in terms of fees? Please describe the process.

As stated above, Shuttle Express charges a fee for the marketing, reservation, dispatching, and credit card processing services which are provided to independent contractors.

Presently that fee is 34% of the collected fares.

Please describe the "Preferred Driver" program.

The reservation program used by Shuttle Express allows a guest to designate a preferred limo or towncar driver -- either for a single transport, or as a permanent preference for all future transfers using a limo or towncar. A program has been developed such that clients who particularly enjoy the service provided by a specific chauffeur can contact the limousine operation manager to request that specific chauffeur be added to their data base profile as their "preferred driver."

Subsequently, whenever that client calls Shuttle Express for a limo or towncar transport, the preferred driver's name comes up for the dispatch office to see. Dispatch calls the contractor chauffeur -- asking them if they are available and wish to accept the work. The contractor has the yes/no option, and if no, then the work is offered to another contractor. The preferred driver program is intended to give contractors an opportunity to build a clientele within the database of guests regularly served through Shuttle Express for limo's or towncars only.

5. Please provide a list of all independent contractors Shuttle Express has contracted with since the inception of the Independent contractor program. For each Independent contractor, include the following information.

The following information is readily available and included in attached documents:

- Name and contact information for the company
- Beginning and end (if applicable) dates of the independent contractor relationship

The following information is not available without extensive, highly labor intensive effort combing through archived records. Records can be made available for UTC personnel to look at.

- Applicable independent agreement(s) if not the May 22, 2009 agreement
- The number of referrals Shuttle Express made to the independent contractor over the term of each applicable agreement.
- The number of referrals accepted by the independent contractor over the term of each applicable agreement.
- Records of all routes traveled by the independent contractor in providing service subject to the agreement(s).
- Copies of all reservation records referred to the independent contractor for services under the agreement(s)
- Copies of all invoices submitted by the independent contractor for payment for services rendered under the agreement(s)

DRIVERS

6. Commission staff assumes none of the independent contractor drivers are employees of Shuttle Express. Is this accurate?

Yes.

7. Does Shuttle Express have any minimum qualifications drivers must meet before entering into an independent contractor relationship? What are those qualifications?

Shuttle Express's Independent Contractor Information Sheet gives the following information regarding standards and legal requirements for chauffeurs serving SeaTac airport:

- A current Washington Drivers License in good standing (CDL is not required.)
- Have had possession of a valid driver's license for a minimum of the past 5 consecutive years
- A proven safe-driving record and demonstration of safe driving habits on the road
 - No more than 3 moving violations and/or preventable accidents in the past 3 years
 - No history of suspended or revoked license
 - No convictions for any motor vehicle involved felony or DUI / DWI violations
- Independent Contractor chauffeurs must be at least 22 years of age.
- Able to pass a D.O.T. physical exam
- Pass initial and continuing random drug tests
- Pass a nation-wide criminal background check
- Able to obtain a Chauffeur Credential
- Insurance companies may require 2 years of commercial driving experience (or equivalent)
- Ability to sit and drive for long periods
- Ability to manage luggage of clients
- Proficient English language communication, both verbally and in writing, in order to:
 - understand and be understood by guests and Shuttle Express dispatchers
 - fill out varied forms (fare tickets, credit card slips, daily invoices, accident reports) correctly and legibly
- Possess computation abilities sufficient enough to do simple math as required to:
 - read and comprehend posted fares and schedules
 - accept various forms of payment and give correct change
 - properly and accurately complete invoice forms.
- Ability to use the Thomas Street Guide Directory and GPS units to find the correct location of addresses in a three-county area

In addition, there are multiple requirements from various agencies: State DOR, State DOL, Port of Seattle, local cities, as well as requirements established in RCW 46.72A. Those qualifications are listed below. Shuttle Express maintains a file for each independent contractor containing written verification that each of these requirements are met. Shuttle Express requires written confirmation of renewal for any expired item prior to offering any referrals subsequent to the expiration date.

DOR

Current open UBI account (Master Business License)
State Limousine Carrier License

DOL

State Limousine Vehicle Certificate
Vehicle Safety Inspection
Certificate of Liability Insurance (\$1,050,000 CSL)

RCW 46.72A

Minimum 21 years of age
Current WDL
Successful completion of Chauffeur Training Course & Exam
WSP Background Check
Drug Test and Random Drug Testing
Satisfactory Driving Record
Current DOT Medical Card

Port of Seattle

Ground Transportation Permit
Liability Insurance (\$1,050,000)
Vehicle Limo Certificate (from DOL)
King County For Hire license, or
Port-approved Chauffeur Credential
(Mirrors RCW requirements plus Successful completion of National Safety Council on-line Defensive Driving Course)

Local Cities

Some require a city business license if operator picks up within the city

VEHICLES

8. Do the independent contractors own or lease their own vehicles?
Own

Do any independent contractors lease vehicles from Shuttle Express or companies owned by Shuttle Express?
No.

INSURANCE COVERAGE

9. It appears the contract requires independent contractors to provide their own liability insurance. Is this accurate?
Yes.

What levels of insurance does Shuttle Express require independent contractors to maintain?
As required by the State and Port of Seattle – both currently \$1,050,000 CSL

Does Shuttle Express verify the independent contractor has the required insurance?
Yes.

If so, how?
Requires current Certificate of Insurance with Shuttle Express named as additional insured. Shuttle Express to be notified in event of policy cancellation for any reason.

With respect to each independent contractor, please provide documentation of all the insurance verifications Shuttle Express performed during the past year.

UTC staff are welcome to inspect files maintained for each independent contractor which includes a complete record of all Certificates of Liability Insurance since contract was activated.

You previously told commission staff that Shuttle Express holds an "umbrella" insurance policy which would cover the independent contractors in case of an accident. Please describe how this policy works and provide a copy of the insurance copy.

Any vehicle under dispatch by Shuttle Express is covered with \$5 million CSL.
Attachment enclosed.

SHUTTLE EXPRESS TRADE MARKS / INSIGNIA

10. It appears the independent contractor agreement grants independent contractors the use of Shuttle Express's licensed property (e.g., trade marks, trade names, logos, insignias, colors, and color combinations).

Please describe how independent contractors use Shuttle Express's licensed property while fulfilling Shuttle Express referrals.

The only situation where independent contractors make use of Shuttle Express's licensed property is the logo on the hand-held signs used at the airport to facilitate contact with clients – a common practice in the industry.

Do independent contractors display Shuttle Express's certificate in their vehicles?

No.

CUSTOMER INFORMATION AND COMPLAINTS

11. Does Shuttle Express inform customers when service will be provided by an independent contractor?

When Shuttle Express uses an independent contractor to rescue a Shuttle Express customer, customers are notified and explained the necessity of the rescue. At that time a customer may cancel the reservation without penalty. To the best of my knowledge no customer has refused to ride in a limo or town car when offered as it is a free upgrade in service and vehicle.

12. Do independent contractor drivers identify themselves as "Shuttle Express" to customers they transport on referral from Shuttle Express?

Independent contractors identify themselves as independent contractors, and explain that they have a working relationship with Shuttle Express, and the customers have been notified prior to arrival of the independent contractor.

13. Please provide copies of all customer complaints Shuttle Express has received based on transportation provided by the independent contractors.

Customer complaints on transportation provided by independent contractors do not exist as there have not been any complaints.

I/C ROSTER

Updated: 11-May-12

I/C ROSTER

I/C #	Last Name	First Name	BUSINESS NAME	Initial		Personal CELL Phone	JBI
				Contract DATE	DATE		
1	LOPEZ	WAYNE	WEL Holdings and Enterprises	31-Jan-08	425-299-3834	802209096	
2	SUKREJA	SERKAN	Peter Town Car		425-769-4141	802477826	
3	SHERPA	PASANG		17-May-08	425-533-6664	802634620	
4	WORKEYE	HALLMEYER		18-Apr-06	206-819-5074	803118239	
5	HUSSEIN	ZELALEM	Seatlec Express Limousine	14/9-06	206-930-9840	802939491	
6	HUSSEIN	AJIDAL		21-Jul-06	206-819-6366	802459705	
7	JOHNSON	MICHAEL	Northwest Limos	18-Sep-08	425-753-1298	800579017	
8	ISCOENLOUGH	PAUL		14/9-07	253-255-8810	802587673	
9	ISOBE	KEITH		20-Apr-07	206-330-9536	802733982	
10	Smith	Kennel	At Limo Rods	16-May-07	206-290-1612	802521489	
11	SOHI	HARRY	Henry's Limousine	17-Jul-07	206-578-2678	802744242	
12	TOOR	PAJINDER	A&P Towcar & Limousine, LLC	14-Mar-12	206-430-9479	803590688	
13	KHALL	MASSER	Khalifa Assoc.	29-Oct-07	206-387-1229	801579688	
14	MEDIA	IGNACIO	Napco's Limousine Service	29-Oct-07	206-241-0233	801242804	
15	CAHOUN	CURTISS	Elite Service Transportation	9-Mar-07	206-841-2816	802779397	
16	WARSAWIE	ABDULLAHI	AB Towcar and Limo Service	9-Jan-05	206-914-1969	802789882	
17	SOHI	ASHWINDER	Spnl Limousine	10-Apr-08	206-578-2612	802828714	
18	Shikie	Steve	Driver Limousine Service	13-Jun-08	425-756-5192	802542644	
19	Grand er	Scott	Charliers Limousine Service	27-Sep-11	425-919-7021	803141900	
20	ASFAW	TESSAYE	Excelent Towcar Transportation	17-Jul-08	206-833-8864	802224700	
21	SOHI	RICKY	A2Z Limousine	23-Nov-11	360-605-8055	802528687	
22	COLAKOVIC	ERIVIN	E & S Limo Service	18-May-08	206-618-7294	802503556	
23	COLAKOVIC	ALIJA	Fidel Chica's Towcar & Limo	19-Mar-10	206-807-1864	802998435	
24	CAVIC	SEMAJ	Seattle No 1 Towcar & Limo	28-May-10	425-902-3482	802987687	
25	KANG	SEMI		30-Jul-10	206-909-2128	801959867	
26	NEBEL	ERENT	Sempert Towcar Service	24-Feb-11	206-718-6139	802479627	
27	DINLUS	SEORGE	Reiner Limousine	11-Aug-10	206-679-2216	802929886	
28	SINGH	GARY	Apple Limousine	14-Jul-10	206-244-1800	801524403	
29	SINGH	K. L.	A. Executive Limo	16-Jul-10	206-423-8610	801724297	
30	GEBHEV	VIKTOR	Theasin LLC	21-Jan-11	206-255-1830	803172477	
31	VELKOV	RUIVEN	Rumetha, LLC	21-Jan-11	206-779-2177	802979325	
32	SINGH	ALSY	Elite Limo Services	18-Apr-11	590-607-0442	802998962	
33	BOPARAI	GJINI	Ge Towcar Service	1-Apr-11	206-617-0250	802998934	
34	KOCHHAR	KARVAL	Prastine Limo and Towcar	8-Aug-11	206-357-3879	802215491	
35	SINGH	HARIAN		14-Aug-11	206-408-2181	8029131593	
36	SINGH	PARDEEP	M S L Routhie Service	14-Aug-11	206-245-4647	8022862731	
37	BEDEV	VILLEN	United Limousine Services Corp	14-Mar-11	425-223-6482	802955425	
38	BEDEV	PRINCE	Omegs	21-Nov-11	206-799-3810	802789945	
39	CHATHA	HARVINDL	Diamond Limo, LLC	5-Mar-12	206-504-8111	8029189570	
40	CHATHA	-BARAKAL	Diamond Limo, LLC	13-Mar-12	206-984-0518	8029189570	
41	MILADINOV	YOLKAN	Yovna Mierkov	28-Mar-12	206-228-0549	801917927	
43	THAMBIAN	VUSALI	Prime Limo Services	16-Apr-12	255-380-3857	8029189584	
44							
45							
46							
47							

POLICY NUMBER: XPP 1120210 09

COMMERCIAL AUTO
CA 99 16 03 10

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**HIRED AUTOS SPECIFIED AS
COVERED AUTOS YOU OWN**

This endorsement modifies insurance provided under the following:

- BUSINESS AUTO COVERAGE FORM
- BUSINESS AUTO PHYSICAL DAMAGE COVERAGE FORM
- GARAGE COVERAGE FORM
- MOTOR CARRIER COVERAGE FORM
- TRUCKERS COVERAGE FORM

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated below.

<p>Named Insured: SHUTTLE EXPRESS, INC.</p> <p>Endorsement Effective Date:</p>
--

SCHEDULE

<p>Description Of Auto: ANY HIRED AUTO "WHILE UNDER DISPATCH" FOR SHUTTLE EXPRESS, INC.</p>
<p>Information required to complete this Schedule, if not shown above, will be shown in the Declarations.</p>

- A. Any "auto" described in the Schedule will be considered a covered "auto" you own and not a covered "auto" you hire, borrow or lease.
- B. Changes In Liability Coverage
 - For an "auto" designated or described in the Schedule, Who Is An Insured is changed to include as an "insured" the owner or lessor named in the Schedule. However, the owner or lessor is an "insured" only for "bodily injury" or "property damage" resulting from the acts or omissions by:
 1. You;
 2. Any of your "employees" or agents; or
 3. Any person, except the owner or lessor or any "employee" or agent of the owner or lessor, operating an "auto" with the permission of any of B.1. and/or B.2. above.

APPENDIX H



STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

June 8, 2012

Jimmy Sherrell, President
Shuttle Express, Inc.
800 SW 16th Street
Renton, Washington 98057

RE: Independent Contractor Program – Additional Information Needed

Dear Mr. Sherrell:

Thank you for your response to the Washington Utilities and Transportation Commission (commission) staff's request for information about Shuttle Express Inc.'s (Shuttle Express) current independent contractor program. Staff reviewed the response and determined that additional information is needed.

By July 16, please provide the following documents and information:

Independent Contractor Program

Shuttle Express's response appears to describe the services provided by the independent contractors as two separate and distinct forms of service: 1) limousine and town car "luxury transportation" service and 2) "rescue" service for auto transportation passengers.

1. **"Luxury Transportation" service:** In its response, Shuttle Express states that it accepts reservations for "luxury transportation" which includes executive sedans, SUVs and limousines.¹ The Department of Licensing confirmed that Shuttle Express does not have its own limousine or for-hire licenses. Therefore, it appears that Shuttle Express either acts as a third-party broker to the independent contractors who provide limousine or for-hire services under their own licenses and in their own vehicles or, uses independent contractors with

¹ Shuttle Express May 14 response at question three.



Jimmy Sherrell
 June 8, 2012
 Page 2

“luxury transportation” vehicles to provide auto transportation services for Shuttle Express, or both. Please describe specifically how Shuttle Express operates its luxury transportation service.

2. **“Rescue” service:** Shuttle Express states that it offers a “flight guarantee” to ensure that auto transportation customers will make their flights. When a van is hung up in traffic or otherwise delayed, Shuttle Express uses the independent contractor companies to fulfill the auto transportation service.²

- Please describe the process when a customer is “rescued” It seems improbable that a customer already on a van and headed for the airport becomes stuck in traffic and is then transferred to an independent contractor’s vehicle.
- How does Shuttle Express differentiate between these types of services (“luxury transportation” vs. “rescue” service) in its reservation system?
- Are the passengers utilizing the “rescue” service charged Shuttle Express’s tariffed auto transportation rates?
- Does Shuttle Express get written consent from its “rescue” passengers to share their customer information with the independent contractors?
- Does the “Preferred Driver” program only apply to “luxury transportation” services?

Records Request

WAC 480-30-056 requires Shuttle Express to maintain complete and accurate copies of records pertaining to customer service on file in its general office for at least three years.

For the last two years (May 2011-May 2012), for all services provided as “rescue” services by independent contractors, please provide the following customer service records. Please provide the same information for any time during the last two years when independent contractors with “luxury transportation” vehicles provided auto transportation services for Shuttle Express.

- Trip records by route or by trip, showing:
 - a. The condition that caused the company to utilize the independent contractor for auto transportation services (e.g., traffic back-ups, inclement weather, etc.).
 - b. The type of transportation provided.
 - c. The number of passengers carried.
 - d. The point each passenger boarded and disembarked from the vehicle.
 - e. The fare charged each customer. Please indicate if the fares were collected by the independent contractor or by Shuttle Express.

² Shuttle Express May 14 cover letter.

Jimmy Sherrell
June 8, 2012
Page 3

- f. Copies of ten fare tickets each for “rescue” and “luxury transportation” services provided by independent contractors.

Shuttle Express may provide information related to items a) through c) in spreadsheet or table format.

Please direct your response to Betty Young, Compliance Investigator, Transportation Safety, at the Washington Utilities and Transportation Commission, PO Box 47250, Olympia, WA 98504-7250. Ms. Young can be reached at 360-664-1202 or by e-mail at byoung@utc.wa.gov.

Sincerely,



David Pratt
Assistant Director, Transportation Safety

APPENDIX I

Shuttle Express

RECEIVED

July 16, 2012

JUL 19 2012

Washington Utilities and Transportation Commission
 Attention: Betty Young
 Compliance Investigator,
 Transportation Safety
 P.O. Box 47250
 Olympia, WA 98504-7250

WASH. UT. & TP. COMM

Re: Independent Contractor Program – Additional Information Needed

Dear Ms. Young:

The following comments in reply to your letter dated June 8, 2012.

1. Please describe specifically how Shuttle Express operates its luxury transportation service.

In our earlier response to your inquiry, we did describe how Shuttle Express operates its "luxury transportation" service. However it may be worthwhile clarifying the term "luxury transportation" as used in that response.

The "luxury transportation" term, as is often used internally, refers to the Towncars, the Limousines, and the SUVs to which Shuttle Express has access via independent contractors. Those vehicles, and chauffeurs who drive them, provide an elevated level of service and comfort from other vehicles used by Shuttle Express. However, the service is operated very much the same as other transportation services: requests for service are taken, reservations made, and the work is offered by dispatchers to chauffeurs who drive the vehicles. If there is any difference in this process, it would be that independent contractors are free to accept or reject referral offers of work. Other than that, the operation runs in much the same way.

To refresh comments from our previous response:

"Shuttle Express, a transportation company which offers transport via various modes, accepts reservations for "luxury transportation" using executive sedans, SUVs, and six- and eight-passenger limousines. To accomplish the work, Shuttle Express contracts with a number of independent contractors to provide the specific luxury service. Shuttle Express offers specific referrals to available contractors – who either accept or reject an offer of work.

"Each contractor, as an independent business, provides all necessary licenses, credentials, permits, vehicle(s), communication devices (smart phones, VMDT units, etc.), fees, and other "tools" needed to perform work as a luxury transportation carrier. As the contractor providing service, each one collects fares for the transportation and pays all expenses associated with running their business from the fares they collect – same as any business would. Those who accept referrals from Shuttle Express pay Shuttle Express a fee for marketing the services, for managing the reservations, for doling out the referrals, and for processing the credit card payments."

To use wording from your last request, it is a correct description that "Shuttle Express...acts as a third-party broker to the independent contractors who provide limousine...services under their own licenses and in their own vehicles..."

2. "Rescue" service

- Please describe the process when a customer is "rescued." It seems improbable that a customer already on a van and headed for the airport becomes stuck in traffic and is then transferred to an independent contractor's vehicle.

Of course it is improbable that a customer already in a vehicle is transferred to another vehicle – with the exception of a mechanical breakdown or an accident. In those situations, Shuttle Express sends the nearest useful vehicle to rescue those in the stranded vehicle.

However other situations more commonly occur which also call for help from a second vehicle. On occasion it happens that a vehicle assigned to pick up a party breaks down, or is delayed in severe traffic, or has been given wrong location information, or (God forbid) gets lost to the point of not getting to the pick-up point in time. In such a situation, just as in the ones mentioned in the preceding paragraph, Shuttle Express focuses on using whatever resource necessary to pick up the customers and transport them to the destination (most often the airport) in time to make their flight, or meet whatever time-critical obligation the customer has.

As one can imagine, these situations are time-critical, and don't offer much wiggle-room of choice. Shuttle Express dispatchers may use another van, a Towncar, a limousine, an SUV ("luxury vehicles"), or even a bus in such a situation if that decision offers the best opportunity for a successful "rescue."

- **How does Shuttle Express differentiate between these types of services ("luxury transportation" vs. "rescue service") in its reservation system.**

There is no difference in terms of the chauffeur or vehicle used for a rescue as described above. Clearly Shuttle Express does not anticipate a problem when a reservation is made, so no reservations are made under any sort of "Rescue" list. All work passes through the dispatch section – whether it be a point-to-point transfer, an airport transfer, or a rescue of another vehicle which is stuck in one of the situations mentioned above.

Being that a "rescue" is a last-second response to an unexpected need which Shuttle Express must accommodate in a timely fashion within our normal operation, there is no place for "rescue reservations." When a vehicle is called on to make a rescue, a note is often added to the reservation to help explain why the original vehicle did not complete the run, as well as to provide information to compensate the "hero" driver for making the rescue.

- **Are the passengers utilizing the "rescue" service charged Shuttle Express's tariffed auto transportation rates?**

Shuttle Express works to a higher standard than to take advantage of the traveling public due to accidents, traffic delays, our own internal errors, or driver mistakes. When a problem occurs which requires the use of a second vehicle to provide transport service, the passenger(s) either pay the fare quoted in their reservation, or more commonly, a discounted fare, or even a complimentary fare -- due to the abnormal situation and stress on the traveler. There is never an upcharge to a guest due to a rescue situation, and Shuttle Express absorbs any added costs – most usually compensation to both drivers involved in the process.

- **Does Shuttle Express get written permission from its "rescue" passengers to share their customer information with the independent contractors?**

In a rescue situation, of course not. By its very nature, those situations are short on time, and quickly put together. There is neither time nor practicality to get written permission. Shuttle Express has received no complaints about rescuing travelers whose time element is truncated due to unforeseen abnormal circumstances. Customer information from a rescue situation is the same information on any reservation: name, address location, pick-up time, destination, fare.

- **Does the "Preferred Driver" program only apply to "luxury transportation" services?**

The short answer is probably "Yes." Much of the work done by Shuttle Express is of the nature that the "next piece of work" is dispatched to the next driver in line." And a preferred driver program doesn't work well in that environment; it simply creates complexity and confusion.

However, any single transport event could have a preferred driver listed in the reservation – and it works very well for the "luxury" work as described above. One example; a group leader may request a specific driver for a long bus trip (e.g.: Seattle to Spokane). A better application is the independent contractor model where a specific chauffeur can be alerted in advance, in order to accept and be ready to perform the work if he or she is listed as the preferred driver for the traveler desiring transport. A preferred driver program clearly cannot be applied to work where drivers' availability is random.

Records Request

Shuttle Express had some 420,000+ reservations in 2011. 96% were completed within normal operation guidelines. It is cumbersome, time-consuming, and impractical to provide the information requested below. As stated in a previous response, (such) "...information is not available without extensive, highly labor intensive

effort combing through archived records. Records can be made available for UTC personnel to examine."

Trip records by route or by trip, showing:

a. The condition that caused the company to utilize the independent contractor for auto transportation services (e.g.: traffic back-ups, inclement weather, etc.).

As indicated in the copy above, reservations are not sorted according to rescue efforts.

b. The type of transportation provided

c. The number of passengers carried.

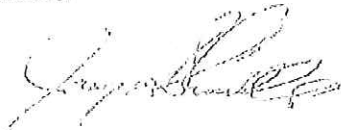
d. The point each passenger boarded and disembarked from the vehicle.

e. The fare charged each customer. Please indicate if the fares were collected by the independent contractor or by Shuttle Express.

f. Copies of ten fare tickets each for "rescue" and "luxury transportation" services provided by independent contractors.

Attached.

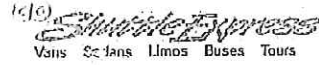
Sincerely,



Jimmy Sherrell

Attached: Fare tickets

ID	Name	Pickup/DO	Publication	Revenue	Fare	Late/Dic	Group/Gen	Seniors/Gen	User/Gen	OverName
315188C	Norman Pridgen	2/12/12 11:50	Kanali/8871	35.00	50.00	-	-	-	5.00	MEDIA, GINDEL
317122J	Patricia Shults-Sachs	2/30/12 15:30	Urmwood-8874	38.00	44.00	-	-	-	5.00	DIANUS, GEORGE
317126C	Richard Smith	2/2/12 11:50	Stellwood-8878	43.00	43.00	-	-	-	-	IGORASAL GIBRI (GIBRIET)
317126E	Ferry Mich	3/6/12 15:30	Urmwood-8878	39.00	39.00	-	-	-	7.00	SINGH GURJIT (GARY)
318695E	Nancy Orth	3/15/12 15:30	Redwood-8882	44.00	51.00	-	-	-	-	COPEL WYNNE E.
322311E	Vanessa McElroy	3/29/12 15:30	Parallie-8872	36.00	50.00	-	-	-	-	WASOWNE RAOUILLAH
324292E	Darlene Premeaux	4/6/12 16:00	Edmond-8873	40.00	40.00	-	-	-	6.00	SINGH, KAVI
326562E	Norman Schumacher	4/17/12 15:25	Sparhawk-8887 N. J. 212th S. E	64.00	70.00	-	-	-	-	SHEPA PASANG
327161	Bryan Escon	5/18/12 15:30	Be Haven-8887	40.00	40.00	-	-	-	-	SHEPA PASANG
330631E	Orville Vintor	5/25/12 15:30	Urdi no-8875	45.00	55.00	-	-	-	-	GEORGE VINTOR



800 SW 16th St., Renton, WA 98057 - 425 981-7000
www.ShuttleExpress.com

FARE TICKET

DATE 1/2/12 VEH # 71 DRIVER # 77
RZ # D/D # GUESTS / # HOURS 3.50/2.5

- ADJUSTMENT**
- NO SHOW
 - K-FARE
 - PREMIUM MX / ADA / AC
 - OTHER

- PRE-PAID CREDIT CARD
- DIRECT BILL
- EMPLOYEE

GUEST NAME Jonathan Spiegel
COMPANY NAME _____

FROM _____
to 17502 10240 Ave NE 98011

REMARKS _____

- METHOD OF TIP**
- CASH
 - ADD TO CREDIT CARD
 - PREPAID ON CREDIT CARD

FARE AMT.	<u>29.50</u>
TIP	<u>5.00</u>
TOTAL	<u>34.50</u>

GUEST SIGNATURE [Signature]



800 SW 16th St., Renton, WA 98057 - 425 981-7000
www.ShuttleExpress.com

FARE TICKET

DATE 1-30-2012 VEH # 93 DRIVER # Jclbo
REZ # DTH # GUESTS / # HOURS 1

ADJUSTMENT	
<input type="checkbox"/> NO SHOW	<input checked="" type="checkbox"/> PRE-PAID CREDIT CARD
<input type="checkbox"/> K-FARE	<input type="checkbox"/> DIRECT BILL
<input type="checkbox"/> PREMIUM MX / ADA / AC	<input type="checkbox"/> EMPLOYEE
<input type="checkbox"/> OTHER _____	

GUEST NAME Pratima Bhattacharya
COMPANY NAME _____

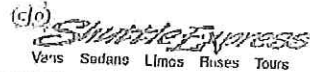
FROM _____

TO _____

REMARKS _____

METHOD OF TIP	FARE AMT
<input type="checkbox"/> CASH	<u>39-</u>
<input checked="" type="checkbox"/> ADD TO CREDIT CARD	<u>5-</u>
<input type="checkbox"/> PREPAID ON CREDIT CARD	<u>44-</u>
	TOTAL

GUEST SIGNATURE Pratima Bhattacharya



800 SW 16th St., Renton, WA 98057 - 425 981-7000
www.ShuttleExpress.com

FARE TICKET

DATE 02/03/12 VEH# 17 DRIVER# 6081
REZ# D7-D # GUESTS / # HOURS 2 / 17:30
to Board

ADJUSTMENT	
<input type="checkbox"/> NO SHOW	<input checked="" type="checkbox"/> PRE-PAID CREDIT CARD
<input type="checkbox"/> K-FARE	<input type="checkbox"/> DIRECT BILL
<input type="checkbox"/> PREMIUM MX / ADA / AC	<input type="checkbox"/> EMPLOYEE
<input type="checkbox"/> OTHER	

GUEST NAME RONALD SMITH

COMPANY NAME _____

FROM 719 Galloway St 98388
TO ST1

REMARKS _____

METHOD OF TIP		FARE AMT.	
<input type="checkbox"/> CASH	}	FARE AMT.	<u>63.00</u>
<input type="checkbox"/> ADD TO CREDIT CARD		TIP	
<input type="checkbox"/> PREPAID ON CREDIT CARD		TOTAL	<u>63.00</u>

GUEST SIGNATURE Ronald Smith



800 SW 16th St., Renton, WA 98057 - 425 981-7000
www.ShuttleExpress.com

FARE TICKET

DATE 3/8/12 VEH # 90 DRIVER # 101
REZ # _____ # GUESTS / # HOURS 1

ADJUSTMENT	
<input type="checkbox"/> NO SHOW	
<input type="checkbox"/> K-FARE	
<input type="checkbox"/> PREMIUM MX / ADA / AC	
<input type="checkbox"/> OTHER _____	

PRE-PAID CREDIT CARD
 DIRECT BILL
 EMPLOYEE

GUEST NAME Terry Hinkel

COMPANY NAME _____

FROM 2672 32nd Ave W

TO 98036

REMARKS _____

METHOD OF TIP

- CASH
- ADD TO CREDIT CARD
- PREPAID ON CREDIT CARD

FARE AMT	<u>39</u>
TIP	
TOTAL	

GUEST SIGNATURE Terry Hinkel

Shuttle Express
 Vans Sedans Limos Buses Tours
 800 SW 16th St., Renton, WA 98057 - 425 901-7000
 www.ShuttleExpress.com

FARE TICKET

DATE 03/19/12 VEH# 721 DRIVER# 52
 REZ# _____ # GUESTS / # HOURS _____

ADJUSTMENT	
<input type="checkbox"/> NO SHOW	<input checked="" type="checkbox"/> PRE-PAID CREDIT CARD
<input type="checkbox"/> K-FARE	<input type="checkbox"/> DIRECT BILL
<input type="checkbox"/> PREMIUM MX / ADA / ACC	<input type="checkbox"/> EMPLOYEE
<input type="checkbox"/> OTHER	

GUEST NAME Veronica Cortez

COMPANY NAME _____

FROM 13166 N 84th Ct 98052

TO SW

REMARKS _____
1525 1615

METHOD OF TIP	FARE AMT.
<input type="checkbox"/> CASH	<u>44.00</u>
<input type="checkbox"/> ADD TO CREDIT CARD	<u>7.00</u>
<input type="checkbox"/> PREPAID ON CREDIT CARD	<u>51.00</u>

GUEST SIGNATURE Valp m OA



800 SW 16th St., Renton, WA 98057 - 425 981 7000
www.ShuttleExpress.com

FARE TICKET

DATE 3/29/12 VEH # 89 DRIVER # 1C9
REZ # _____ # GUESTS / # HOURS 1

ADJUSTMENT

NO SHOW
 K-FARE
 PREMIUM MX / ADA / AC
 OTHER _____

- PRE-PAID CREDIT CARD
 DIRECT BILL
 EMPLOYEE

GUEST NAME Vanessa McElroy
 COMPANY NAME _____
 FROM 2732 E. Main Ave 372
 TO ST7
 REMARKS _____

- METHOD OF TIP**
- CASH
 ADD TO CREDIT CARD
 PREPAID ON CREDIT CARD

FARE AMT.	50.00
TIP	-
TOTAL	50.00

GUEST SIGNATURE V McElroy

Shuttle Express

Reservation Confirmation & Boarding Pass

Return to the original

IMPORTANT: Please print this boarding pass and give to your driver to expedite your check-in time.

Reservation Detail	
Name:	Danielle Parenteau
Pick Up Date:	04/06/12
Pick Up Time:	04:00 PM
Number of Passengers:	1
Pick Up Location:	Edmonds-98026
Pick Up Address:	15809 53rd Pl W
Drop Off Location:	Sea/Tac Airport
Drop Off Address:	
Payment Type:	Credit Card Pre Paid
Fare:	40.00
Gratuity:	
Total Fare:	
Reservation Number:	3241393
Signature:	<i>Danielle Parenteau</i>

Please contact our reservation center at 425-981-7000.

To avoid charges, please cancel at least 24 hours prior to your pickup time.



Your Driver will arrive between the indicated pickup time and up to 20 minutes later. This grace period allows for traffic and your safety.

1677
1731

5569 2400 0162 6153

HORHAN P SCHUBACHER

EXPIRATION
 DATE
 CHECKED

QTY.	CLASS	DESCRIPTION	PRICE	AMOUNT
				64.00
DATE: 11 17 12			AUTHORIZATION	SUB TOTAL
REFERENCE NO.			SERVER	TAX
ID/FOLIO/CHECK NO./LIC. NO STATE	REG/DEPT	CLERK	TIP	MISC
			6	
			TOTAL	70.00

SALES SLIP
COPY

SIGN HERE

[Signature]

The issuer of the card certifies on it to be authorized to pay the amount shown as TOTAL upon proper presentation. I promise to pay such TOTAL (together with any other charges due thereon) subject to and in accordance with the agreement governing the use of such card.

RETAIN THIS COPY FOR YOUR RECORDS


 Vans Sedans Limos Buses Tours
 800 SW 16th St., Renton, WA 98057 - 425 981-7000
 www.ShuttleExpress.com

FARE TICKET

DATE 5/18/12 VEH # 92 DRIVER # 18
 REZ # 3297161 # GUESTS / # HOURS _____

- ADJUSTMENT**
- NO SHOW
 - K-FARE
 - PREMIUM MX / ADA / AC
 - OTHER _____

- PRE-PAID CREDIT CARD
- DIRECT BILL
- EMPLOYEE

GUEST NAME Bryan Bacon

COMPANY NAME _____

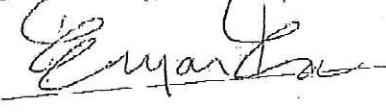
FROM 15345 SE 30th Pl 98007

TO Seattle Airport

REMARKS 1500 1535

- METHOD OF TIP**
- CASH
 - ADD TO CREDIT CARD
 - PREPAID ON CREDIT CARD

FARE AMT.	<u>40.00</u>
TIP	_____
TOTAL	<u>40.00</u>

GUEST SIGNATURE 

Shuttle Express
Vans Sedans Limos Buses Tours
800 SW 16th St., Renton, WA 98057 - 425 981-7000
www.ShuttleExpress.com

FARE TICKET

DATE 05.25.12 VEH # 22 DRIVER # 104
REZ # _____ # GUESTS / # HOURS _____

ADJUSTMENT	
<input type="checkbox"/> NO SHOW	
<input type="checkbox"/> K-FARE	
<input type="checkbox"/> PREMIUM MX / ADA / AC	
<input type="checkbox"/> OTHER _____	

- PRE-PAID CREDIT CARD
- DIRECT BILL
- EMPLOYEE

GUEST NAME: Waller

COMPANY NAME: _____

FROM: _____

TO: _____

REMARKS: _____

- METHOD OF TIP
- CASH
 - ADD TO CREDIT CARD
 - PREPAID ON CREDIT CARD

FARE AMT.	<u>45</u>
TIP	
TOTAL	

GUEST SIGNATURE: [Signature]

APPENDIX J

From: John Rowley
To: Young, Betty (UTC)
Subject: RE: Shuttle Express response to staff's information request - Independent contractor program
Date: Tuesday, August 07, 2012 4:55:40 PM
Attachments: Report Wait Time at Port for 8512.msg
 Report Wait Time at Port for 8412.msg
 Report Wait Time at Port for 8312.msg
 Report Wait Time at Port for 8212.msg
 Report Wait Time at Port for 8112.msg
 Report Wait Time at Port for 73112.msg
 Report Wait Time at Port for 73012.msg
 Report Wait Time at Port for 72912.msg
 Report Wait Time at Port for 72812.msg
 Report Wait Time at Port for 72712.msg
 Report Wait Time at Port for 72612.msg
 Report Wait Time at Port for 72512 Corrected.msg
 Report Wait Time at Port for 72512.msg
 Report Wait Time at Port for 72412.msg
 Report Wait Time at Port for 72312.msg

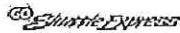
Hi Betty,

Under records request "Normal operations" are those trips completed within the standards we feel are adequate to maintain our guests' loyalty. Abnormal are those when we are late for whatever reason -- bad traffic, a reservation error, inadequate GPS information or a flat tire. Note again we have never had complaints in part because we focus on our standards being met and take whatever measures are necessary to get people to their flights. All our business is carried by our vans except in extreme circumstances when a rescue is in order and then any vehicle may be used. When we are late or running abnormal operations, there is no change to the guest in how we complete the reservations whether we send a rescue vehicle or not. For instance a guest may not even know the originally assigned van had a flat tire, when another rescue van is sent by our dispatcher. I have attached a report on a few different days. We use this report to determine how we did.

I hope this helps,

Thanks,

John Rowley
 President
 425-981-7070



Vans Sedans Limos Buses Tours | [Connect with us: Enews - Facebook](#)

CONFIDENTIALITY NOTE: This message and any attached files transmitted with it are intended for use only by the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law.

From: Young, Betty (UTC) [mailto:BYoung@utc.wa.gov]
Sent: Monday, August 06, 2012 7:16 AM
To: John Rowley (jrowley@shuttleexpress.net)
Subject: Shuttle Express response to staff's information request - Independent contractor program
Importance: High

Mr. Rowley,

In his attached response, Mr. Sherrell states that 96% of Shuttle Express's 2011 reservations were completed within "normal operation guidelines." (See section titled "Records Request.")

1. Please define what "normal operation guidelines" are.
2. Please describe how the remaining 4% of the reservations were completed.

Thank you for your prompt response.

Betty Young
Compliance Investigator
Transportation Safety Enforcement
Washington Utilities and Transportation Commission
Phone: 360-664-1202
Fax: 360-586-1172

Wait Time at Airport (Guest Count)

From: 4/25/10
Through: 4/25/10

SUNDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	>60	
00:00	2	9	2	10	3	1	4	1	0	0	32
01:00	0	0	1	0	3	0	1	0	0	0	5
02:00	0	0	0	0	0	0	0	0	0	0	0
03:00	0	0	0	0	0	0	0	0	0	0	0
04:00	0	0	0	0	0	0	0	0	0	0	0
05:00	0	0	2	0	0	0	0	0	0	0	0
06:00	0	0	0	0	0	0	0	0	0	0	0
07:00	0	2	0	0	0	0	0	0	0	0	0
08:00	2	2	6	6	4	0	0	0	0	0	2
09:00	1	6	0	6	5	2	0	0	0	0	2
10:00	2	5	4	8	1	0	0	0	0	0	23
11:00	0	10	10	8	5	0	0	0	0	0	16
12:00	4	21	4	11	5	0	0	0	0	0	20
13:00	0	15	26	3	12	18	3	0	0	0	33
14:00	2	8	8	6	2	6	1	0	0	0	42
15:00	2	6	8	14	4	8	0	0	0	0	77
16:00	1	3	5	21	3	0	0	0	0	0	26
17:00	2	8	9	8	2	0	0	0	0	0	31
18:00	3	16	2	9	1	1	0	0	0	0	37
19:00	5	19	5	8	7	1	0	0	0	0	24
20:00	5	12	3	15	5	6	1	0	0	0	19
21:00	2	4	10	16	13	0	1	0	0	0	26
22:00	6	13	5	13	8	8	1	0	0	0	41
23:00	2	5	7	4	7	3	3	0	0	0	51
	41	114	120	166	87	45	15	1	0	0	45
	7%	19%	20%	28%	15%	8%	3%	0%	0%	0%	589
	7%	26%	47%	75%	90%	97%	100%	100%	100%	100%	0

Wait Time at Airport (Guest Count)

From: 7/23/12
Through: 7/23/12

MONDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	>60	
00:00	2	8	15	10	1	5	0	0	0	0	41
01:00	7	3	2	2	3	0	0	0	0	0	17
02:00	1	1	2	0	1	1	0	0	0	0	6
03:00	0	0	0	0	0	0	1	0	0	0	1
04:00	0	0	0	0	0	0	0	0	0	0	0
05:00	0	0	0	1	0	0	0	0	0	0	0
06:00	0	0	0	1	0	3	1	0	0	0	1
07:00	0	0	0	0	0	2	0	1	0	0	5
08:00	0	4	1	0	3	0	8	0	4	1	3
09:00	0	0	0	0	2	4	4	6	0	0	21
10:00	1	10	6	3	6	1	9	3	2	0	16
11:00	0	9	11	18	8	3	19	9	6	0	41
12:00	0	2	5	5	14	2	2	0	1	0	83
13:00	3	3	8	22	18	10	13	0	0	0	50
14:00	0	2	6	16	15	7	5	0	0	0	77
15:00	0	3	17	18	8	0	1	0	0	0	51
16:00	0	9	12	7	3	0	0	0	0	0	47
17:00	6	4	15	8	1	0	0	0	0	0	31
18:00	0	10	14	6	10	2	0	0	0	0	34
19:00	2	5	3	11	17	2	0	0	0	0	43
20:00	3	4	9	17	5	3	0	0	0	0	40
21:00	1	5	12	18	8	6	0	0	0	0	41
22:00	3	13	7	20	28	8	0	0	0	0	50
23:00	0	14	2	8	5	2	3	0	0	0	79
	29	109	147	191	156	61	84	19	13	1	810
	4%	13%	18%	24%	19%	8%	10%	2%	2%	0%	
	4%	17%	35%	59%	78%	86%	95%	98%	100%	100%	39.89

Wait Time at Airport (Guest Count)

From: 7/24/12
Through: 7/24/12

TUESDAY

Time	0:5	6:10	11:15	16:20	21:25	26:30	31:40	41:50	51:60	60											
00:00	1	2%	25	45%	5	9%	7	13%	6	11%	1	2%	4	7%	7	13%	0	0%	0	0%	56
01:00	1	4%	0	0%	0	0%	4	16%	4	16%	2	8%	2	8%	10	40%	0	0%	0	0%	25
02:00	0	0%	2	67%	0	0%	0	0%	1	33%	0	0%	0	0%	0	0%	0	0%	0	0%	3
03:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
04:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
05:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
06:00	0	0%	5	56%	0	0%	1	11%	0	0%	1	11%	0	0%	1	11%	0	0%	0	0%	9
07:00	0	0%	2	67%	1	33%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	3
08:00	0	0%	0	0%	0	0%	0	0%	2	15%	7	54%	3	23%	10	40%	0	0%	0	0%	13
09:00	0	0%	1	8%	0	0%	0	0%	1	8%	2	15%	3	23%	4	31%	2	15%	0	0%	13
10:00	1	2%	1	2%	4	8%	7	14%	8	16%	13	25%	3	25%	3	6%	2	2%	0	0%	51
11:00	0	0%	10	20%	5	10%	6	12%	17	35%	6	12%	4	6%	12	19%	2	3%	0	0%	49
12:00	0	0%	6	9%	18	28%	1	2%	4	6%	12	19%	15	25%	15	25%	2	3%	4	6%	64
13:00	0	0%	6	10%	6	10%	11	19%	20	34%	5	9%	3	17%	3	5%	0	0%	0	0%	58
14:00	1	2%	6	12%	10	20%	17	34%	7	14%	4	8%	5	10%	5	10%	0	0%	0	0%	50
15:00	0	0%	1	3%	3	9%	15	45%	4	12%	8	24%	0	0%	2	6%	0	0%	0	0%	33
16:00	0	0%	7	18%	2	5%	5	13%	10	25%	5	13%	15	19%	6	15%	0	0%	0	0%	40
17:00	2	7%	3	11%	6	22%	7	26%	3	11%	6	22%	0	0%	0	0%	0	0%	0	0%	27
18:00	1	3%	3	8%	3	8%	14	39%	9	25%	5	14%	1	3%	0	0%	0	0%	0	0%	36
19:00	2	4%	4	9%	7	16%	13	29%	8	18%	9	20%	2	4%	0	0%	0	0%	0	0%	45
20:00	4	7%	4	7%	13	24%	17	31%	10	19%	3	6%	3	5%	0	0%	0	0%	0	0%	54
21:00	0	0%	9	16%	9	16%	19	33%	15	26%	4	7%	1	2%	0	0%	0	0%	0	0%	57
22:00	1	2%	10	19%	7	13%	16	30%	12	23%	6	11%	1	2%	0	0%	0	0%	0	0%	53
23:00	0	0%	10	21%	2	4%	6	13%	10	21%	2	4%	7	15%	4	8%	4	8%	3	6%	48
	14	2%	115	15%	101	13%	168	21%	151	19%	101	13%	81	10%	41	5%	11	1%	4	1%	787
	2%	16%		16%	29%	51%		70%		83%		93%		98%		100%					41.32

Wait Time at Airport (Guest Count)

From: 7/25/12
Through: 7/25/12

WEDNESDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	>60					
00:00	2	5%	12	27%	1	2%	6	14%	4	9%	0	0%	0	0%	44
01:00	2	13%	1	6%	1	8%	5	31%	3	19%	4	25%	0	0%	16
02:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	1
03:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	6
04:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
05:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
06:00	0	0%	1	50%	0	0%	0	0%	0	0%	0	0%	0	0%	2
07:00	1	13%	2	25%	5	63%	0	0%	0	0%	0	0%	0	0%	8
08:00	1	25%	0	0%	0	0%	1	25%	0	0%	0	0%	0	0%	4
09:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	8
10:00	1	3%	2	5%	5	13%	6	15%	3	8%	6	15%	9	23%	39
11:00	0	0%	5	6%	3	4%	17	22%	10	13%	11	14%	14	18%	79
12:00	0	0%	1	2%	8	14%	2	4%	6	11%	5	9%	6	11%	56
13:00	0	0%	4	7%	2	4%	3	5%	3	5%	1	2%	15	26%	57
14:00	0	0%	1	2%	1	2%	4	10%	3	7%	2	5%	13	32%	41
15:00	0	0%	3	6%	2	4%	10	20%	0	0%	17	33%	8	16%	51
16:00	0	0%	2	7%	1	4%	2	7%	2	7%	3	11%	7	25%	28
17:00	1	3%	4	10%	3	8%	6	15%	3	8%	3	8%	11	28%	39
18:00	1	3%	7	18%	3	8%	10	26%	10	26%	3	8%	0	0%	39
19:00	2	6%	6	17%	7	20%	6	17%	2	6%	6	17%	0	0%	35
20:00	0	0%	2	4%	11	22%	17	33%	15	29%	4	8%	0	0%	51
21:00	3	5%	6	11%	10	18%	12	22%	11	20%	13	24%	0	0%	55
22:00	0	0%	7	15%	10	21%	4	8%	14	29%	13	27%	0	0%	48
23:00	1	4%	3	11%	7	25%	10	36%	5	18%	2	7%	0	0%	28
	15		69		81		121		94		94		96		735
	2%		9%		11%		16%		13%		13%		13%		16
	2%		11%		22%		39%		52%		64%		93%		2%
															100%
															40.46

Wait Time at Airport (Guest Count)

From: 7/26/12
Through: 7/26/12

THURSDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	>60																
00:00	3	6%	11	22%	4	8%	1	2%	4	8%	16%	8	16%	9	18%	0	0%	0	0%	0	0%	3	3%	49		
01:00	0	0%	0	0%	0	0%	10	40%	5	20%	2	8%	2	8%	5	20%	0	0%	0	0%	0	0%	3	12%	25	
02:00	2	100%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	2	0
03:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
04:00	0	0%	1	100%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
05:00	0	0%	0	0%	4	100%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
06:00	0	0%	0	0%	2	67%	1	33%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
07:00	0	0%	7	64%	2	18%	2	18%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
08:00	1	14%	3	43%	1	14%	0	0%	2	29%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
09:00	0	0%	0	0%	2	15%	7	54%	3	23%	1	8%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
10:00	3	8%	10	26%	17	44%	7	18%	2	5%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
11:00	9	11%	22	27%	26	32%	14	17%	9	11%	1	1%	1	1%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
12:00	2	3%	6	10%	20	33%	16	27%	3	5%	0	0%	0	0%	3	5%	7	12%	2	3%	1	2%	1	2%	60	
13:00	0	0%	0	0%	16	19%	12	14%	12	14%	2	2%	2	2%	4	11%	4	11%	0	0%	0	0%	0	0%	0	0
14:00	0	0%	2	3%	2	3%	23	33%	13	19%	9	13%	9	13%	11	16%	5	7%	4	6%	0	0%	0	0%	0	0
15:00	0	0%	8	10%	0	0%	20	24%	17	20%	4	5%	4	5%	16	20%	18	22%	6	7%	4	5%	4	5%	83	
16:00	0	0%	3	5%	8	12%	16	25%	8	12%	3	5%	3	5%	13	20%	13	20%	1	2%	0	0%	0	0%	0	0
17:00	0	0%	2	5%	1	3%	10	26%	4	11%	6	16%	5	10%	14	21%	10	26%	0	0%	0	0%	0	0%	0	0
18:00	1	2%	6	12%	16	33%	11	22%	8	16%	5	10%	6	12%	11	22%	1	2%	0	0%	0	0%	0	0%	0	0
19:00	0	0%	6	17%	1	3%	21	58%	6	17%	2	6%	2	6%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
20:00	1	3%	4	14%	3	10%	7	24%	9	31%	5	17%	5	17%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
21:00	4	11%	5	13%	5	13%	11	29%	11	29%	1	3%	1	3%	1	3%	0	0%	0	0%	0	0%	0	0%	0	0
22:00	1	3%	6	18%	7	21%	6	18%	9	26%	5	15%	5	15%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0
23:00	5	9%	3	6%	12	23%	11	21%	18	34%	3	6%	3	6%	1	2%	0	0%	0	0%	0	0%	0	0%	0	0
	32	4%	105	16%	149	33%	206	56%	143	73%	57	7%	95	9%	55	6%	55	9%	14	2%	17	2%	17	2%	873	
	4%	12%	17%	24%	16%	17%	24%	16%	16%	16%	7%	11%	11%	6%	5%	9%	6%	5%	2%	2%	2%	2%	2%	2%	36.75	
	4%	16%	33%	56%	73%	79%	56%	73%	73%	73%	79%	90%	90%	96%	96%	98%	98%	98%	98%	98%	98%	98%	98%	98%	100%	

Wait Time at Airport (Guest Count)

From: 7/27/12
Through: 7/27/12

FRIDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	>60	
00:00	0	28	1	3	8	6	1	1	1	0	49
01:00	0	0%	57%	2%	18%	12%	2%	2%	2%	0	0%
02:00	0	4	19%	33%	1	3	1	0	0	0	21
03:00	0	0	0%	0%	4	11%	0	0	0	0	9
04:00	0	0	0%	0%	0	0	4	0	0	0	4
05:00	1	10%	0%	20%	1	0	0	0	0	0	1
06:00	8	42%	0%	0%	0	53%	0	0	0	0	10
07:00	0	0	0%	20%	0	1	0	0	0	0	19
08:00	0	2	11%	11%	0	1	0	1	0	0	5
09:00	0	1	4%	32%	2	7	5	0	0	0	18
10:00	0	10	17%	38%	2	24%	1	2	0	0	25
11:00	2	20	21%	27%	10	5	15	5	2	0	58
12:00	2	3	3%	3%	20	16	13	0	0	0	97
13:00	1	6	9%	14%	11	12	14	0	0	0	65
14:00	2	7	13%	13%	5	1	14	7	1	0	65
15:00	0	0	0%	31%	0	1	8	3	10	0	54
16:00	0	8	12%	28%	3	20	3	0	0	0	35
17:00	0	1	4%	17%	8	4	1	0	0	0	65
18:00	0	10	22%	30%	11	2	1	0	0	0	24
19:00	2	5	14%	22%	8	5	0	0	0	0	46
20:00	2	4	8%	29%	11	7	1	0	0	0	37
21:00	4	9	14%	27%	7	7	0	0	0	0	49
22:00	4	8	26%	14%	7	2	1	0	0	0	44
23:00	3	5	9%	19%	9	11	1	0	0	0	50
	31	133	166	167	128	141	85	37	15	0	903
	3%	15%	18%	18%	14%	16%	9%	4%	2%	0%	
	3%	18%	37%	55%	69%	85%	94%	98%	100%	100%	42.19

Wait Time at Airport (Guest Count)

From: 7/28/12
Through: 7/28/12

SATURDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	60+							
00:00	2	4%	17	35%	6	13%	5	10%	8	17%	5	10%	5	10%	0	0%	48
01:00	1	8%	1	8%	5	38%	5	38%	1	8%	0	0%	0	0%	0	0%	13
02:00	0	0%	2	67%	0	0%	0	0%	1	33%	0	0%	0	0%	0	0%	3
03:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
04:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
05:00	1	100%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	1
06:00	2	29%	3	43%	1	14%	1	14%	0	0%	0	0%	0	0%	0	0%	7
07:00	0	0%	0	0%	2	33%	1	17%	0	0%	0	0%	0	0%	0	0%	6
08:00	0	0%	2	33%	1	17%	2	33%	1	17%	0	0%	0	0%	0	0%	6
09:00	0	0%	6	12%	5	10%	6	12%	1	2%	12	23%	2	4%	1	2%	52
10:00	0	0%	1	2%	4	7%	0	0%	3	5%	9	16%	2	4%	2	4%	55
11:00	0	0%	20	21%	18	19%	22	23%	28	29%	6	6%	0	0%	0	0%	97
12:00	0	0%	11	14%	19	24%	25	32%	6	8%	9	11%	7	9%	2	3%	79
13:00	0	0%	7	12%	13	22%	14	24%	18	31%	4	7%	3	5%	0	0%	59
14:00	0	0%	17	26%	37	56%	8	12%	1	2%	3	5%	0	0%	0	0%	66
15:00	3	8%	5	13%	3	8%	18	47%	3	8%	6	16%	0	0%	0	0%	38
16:00	0	0%	22	40%	2	4%	15	27%	12	22%	1	2%	3	5%	0	0%	55
17:00	1	4%	3	12%	4	15%	6	23%	6	23%	5	19%	1	4%	0	0%	26
18:00	0	0%	10	36%	9	32%	7	25%	1	4%	1	4%	0	0%	0	0%	28
19:00	0	0%	4	16%	6	24%	9	36%	6	24%	0	0%	0	0%	0	0%	25
20:00	2	3%	10	14%	9	13%	14	19%	9	13%	7	10%	0	0%	3	4%	72
21:00	0	0%	0	0%	11	19%	9	16%	2	3%	10	17%	18	31%	7	12%	58
22:00	1	1%	10	14%	11	16%	12	17%	2	3%	9	13%	14	20%	3	4%	70
23:00	2	8%	9	38%	0	0%	4	17%	0	0%	3	13%	5	21%	1	4%	24
	15	2%	160	18%	166	19%	183	21%	109	12%	90	10%	78	9%	31	1%	888
	2%	20%	38%	59%	71%	81%	90%	94%	95%	100%							45.68

Wait Time at Airport (Guest Count)

From: 7/29/12
Through: 7/29/12

SUNDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	>60											
00:00	7	13%	0	0%	17	31%	14	28%	0	0%	4	7%	7	13%	5	9%	0	0%	0	0%	54
01:00	4	31%	0	0%	1	8%	6	48%	0	0%	2	15%	0	0%	0	0%	0	0%	0	0%	13
02:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	4	100%	0	0%	0	0%	4
03:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
04:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0
05:00	0	0%	4	57%	0	0%	2	29%	0	0%	1	14%	0	0%	0	0%	0	0%	0	0%	0
06:00	0	0%	3	60%	0	0%	0	0%	2	40%	0	0%	0	0%	0	0%	0	0%	0	0%	5
07:00	4	57%	2	29%	0	0%	1	14%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	7
08:00	2	6%	0	0%	3	9%	8	25%	9	28%	0	0%	0	0%	8	25%	2	6%	0	0%	32
09:00	0	0%	0	0%	0	0%	0	0%	1	8%	2	15%	0	0%	10	77%	0	0%	0	0%	13
10:00	2	3%	13	20%	4	6%	24	37%	4	6%	17	26%	0	0%	1	2%	0	0%	0	0%	65
11:00	6	6%	15	14%	7	6%	30	28%	8	7%	2	2%	23	21%	12	11%	3	3%	2	2%	108
12:00	0	0%	0	0%	6	8%	5	8%	1	1%	0	0%	9	11%	26	33%	21	26%	12	15%	80
13:00	0	0%	1	2%	6	15%	2	5%	1	2%	4	10%	19	46%	5	12%	0	0%	3	7%	41
14:00	1	2%	1	2%	4	7%	14	23%	11	18%	2	3%	19	32%	1	2%	0	0%	0	0%	60
15:00	0	0%	4	7%	24	39%	15	25%	11	18%	1	2%	2	3%	2	3%	0	0%	4	7%	61
16:00	4	13%	4	13%	2	6%	10	31%	2	6%	6	19%	4	13%	0	0%	0	0%	0	0%	32
17:00	0	0%	5	17%	7	23%	9	30%	7	23%	0	0%	2	7%	0	0%	0	0%	0	0%	30
18:00	0	0%	11	24%	2	4%	13	29%	8	18%	7	16%	4	9%	0	0%	0	0%	0	0%	45
19:00	1	3%	6	16%	6	16%	14	37%	7	18%	2	5%	2	5%	0	0%	0	0%	0	0%	38
20:00	1	2%	11	27%	3	7%	8	20%	11	27%	7	17%	0	0%	0	0%	0	0%	0	0%	41
21:00	2	3%	21	33%	8	13%	12	19%	17	27%	3	5%	1	2%	0	0%	0	0%	0	0%	64
22:00	4	7%	11	20%	9	16%	18	32%	7	13%	6	11%	1	2%	0	0%	0	0%	0	0%	56
23:00	3	6%	7	15%	20	43%	6	13%	7	15%	4	9%	0	0%	0	0%	0	0%	0	0%	47
	41	119	129	211	114	70	101	66	28	24	903										
	5%	13%	14%	23%	13%	8%	11%	7%	3%	3%											
	5%	18%	32%	55%	68%	76%	87%	94%	97%	100%											

Wait Time at Airport (Guest Count)

From: 7/30/12
Through: 7/30/12

MONDAY

Time	3-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	60										
00:00	2	5%	14	32%	2	5%	3	7%	9	20%	8	18%	6	14%	0	0%	0	0%	44	
01:00	0	0%	7	26%	4	15%	3	11%	1	4%	1	4%	6	22%	5	19%	0	0%	27	
02:00	0	0%	0	0%	1	25%	0	0%	0	0%	0	0%	3	75%	0	0%	0	0%	4	
03:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	
04:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	
05:00	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	
06:00	0	0%	0	0%	2	33%	2	33%	1	17%	1	17%	0	0%	0	0%	0	0%	6	
07:00	0	0%	0	0%	0	0%	0	0%	3	33%	2	22%	0	0%	3	33%	1	11%	9	
08:00	0	0%	0	0%	0	0%	1	6%	0	0%	0	0%	0	0%	0	0%	0	0%	17	
09:00	0	0%	1	7%	5	33%	0	0%	0	0%	1	7%	0	0%	0	0%	0	0%	15	
10:00	0	0%	2	4%	2	4%	3	6%	4	8%	1	2%	0	0%	0	0%	0	0%	51	
11:00	1	1%	7	7%	7	7%	0	0%	3	3%	1	1%	0	0%	0	0%	0	0%	96	
12:00	2	4%	2	4%	4	9%	0	0%	17	36%	4	9%	3	18%	3	18%	3	18%	47	
13:00	0	0%	4	11%	4	11%	4	11%	5	13%	9	24%	8	20%	3	8%	2	4%	38	
14:00	1	2%	7	17%	3	7%	15	37%	4	10%	3	7%	0	0%	0	0%	0	0%	41	
15:00	4	9%	15	33%	7	16%	14	31%	2	4%	0	0%	0	0%	0	0%	0	0%	45	
16:00	3	7%	11	24%	9	20%	9	20%	12	27%	1	2%	0	0%	0	0%	0	0%	45	
17:00	1	4%	3	12%	6	23%	14	54%	1	4%	0	0%	0	0%	0	0%	0	0%	26	
18:00	2	3%	21	36%	13	22%	14	24%	6	10%	2	3%	0	0%	0	0%	0	0%	58	
19:00	5	14%	1	3%	5	14%	17	49%	7	20%	0	0%	0	0%	0	0%	0	0%	35	
20:00	3	5%	4	6%	15	24%	27	43%	10	16%	1	2%	3	5%	0	0%	0	0%	63	
21:00	0	0%	1	2%	16	31%	17	33%	12	24%	1	2%	4	8%	0	0%	0	0%	51	
22:00	4	7%	5	9%	9	16%	26	45%	12	21%	2	3%	0	0%	0	0%	0	0%	58	
23:00	2	3%	8	14%	14	24%	5	9%	12	21%	0	0%	9	16%	8	14%	0	0%	58	
30	4%	4%	113	14%	128	15%	174	21%	121	15%	38	5%	69	8%	51	6%	36	4%	74	
																				834
																				45.64
																				100%

Wait Time at Airport (Guest Count)

From: 7/31/12
Through: 7/31/12

TUESDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	>60	
00:00	2	0	3	7	6	4	12	3	0	1	38
01:00	0	0	4	1	0	1	11	0	0	0	19
02:00	0	7	0	0	0	0	2	0	0	0	9
03:00	0	0	0	0	0	0	0	0	0	0	0
04:00	0	0	0	0	0	0	0	0	0	0	0
05:00	6	100%	0	0	0	0	0	0	0	0	6
06:00	1	20%	7	0	0	0	2	0	0	0	10
07:00	0	0	1	7	5	3	2	0	0	0	14
08:00	1	3%	1	3	0	2	0	1	15	0	31
09:00	0	0	1	6	1	0	7	4	0	0	17
10:00	0	8	6	8	20	13	13	0	0	0	76
11:00	4	14	0	0	0	2	15	11	5	0	59
12:00	2	5	14	3	6	2	27	0	0	0	59
13:00	0	2	7	0	8	2	12	5	0	0	36
14:00	1	4	11	9	9	8	3	0	0	0	45
15:00	6	4	4	9	3	0	0	0	0	0	26
16:00	1	9	6	12	3	0	0	0	0	0	31
17:00	2	6	6	5	13	1	0	0	0	0	33
18:00	0	8	3	12	3	3	0	0	0	0	29
19:00	2	5	8	8	3	1	3	0	0	0	30
20:00	2	2	5	9	9	0	1	0	0	0	28
21:00	6	10	8	17	10	2	0	0	0	0	53
22:00	9	8	13	2	12	5	0	0	5	1	56
23:00	1	7	19	4	10	7	2	7	0	0	57
	46	107	127	133	121	56	110	31	28	3	762
	6%	14%	17%	17%	16%	7%	14%	4%	4%	0%	
	6%	20%	37%	54%	70%	77%	92%	96%	100%	100%	

37.28

Wait Time at Airport (Guest Count)

From: 8/7/12
Through: 8/12/12

WEDNESDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-50	>60	
00:00	3	1	7	0	4	5	2	14	3	0	39
01:00	5	0	1	0	0	2	1	6	3	0	18
02:00	0	0	0	1	0	0	0	2	3	0	7
03:00	0	0	0	0	0	0	0	0	4	0	1
04:00	0	0	0	0	0	0	0	0	1	0	0
05:00	0	0	1	0	0	0	0	0	0	0	0
06:00	0	1	2	1	1	0	0	0	0	0	2
07:00	0	1	2	0	0	0	0	0	0	0	5
08:00	1	2	0	2	0	0	0	0	0	0	5
09:00	0	0	0	4	0	0	0	0	0	0	5
10:00	0	0	0	2	2	1	0	0	0	0	8
11:00	1	9	17	5	6	6	9	3	1	0	33
12:00	1	2	4	26	6	8	9	1	0	0	75
13:00	0	2	2	13	4	1	1	2	0	0	28
14:00	1	2	9	13	9	2	8	3	0	0	39
15:00	4	2	9	13	18	3	8	0	3	0	55
16:00	0	0	1	2	6	5	6	4	0	0	30
17:00	0	1	1	4	11	1	0	0	0	0	24
18:00	1	12	4	14	10	5	3	0	0	0	19
19:00	2	3	9	8	9	2	1	0	0	0	43
20:00	2	9	3	6	6	8	4	0	0	0	40
21:00	1	6	6	16	23	2	0	0	0	0	29
22:00	2	6	8	26	15	10	2	0	0	0	55
23:00	0	3	4	7	6	1	0	0	0	0	69
	24	75	82	162	142	60	53	35	15	0	648
	4%	12%	13%	25%	22%	9%	8%	5%	2%	0%	
	4%	15%	28%	53%	75%	84%	92%	98%	100%	100%	
											39.89

Wait Time at Airport (Guest Count)

From: 8/22/12
Through: 8/22/12

THURSDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	>60	
00:00	9 23%	1 3%	7 23%	5 15%	9 29%	0 0%	0 0%	0 0%	0 0%	0 0%	31
01:00	0 0%	4 13%	3 10%	1 3%	2 7%	0 0%	10 33%	1 3%	7 23%	2 7%	30
02:00	7 7%	0 0%	0 0%	0 0%	0 0%	1 11%	1 11%	0 0%	0 0%	0 0%	9
03:00	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0
04:00	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0
05:00	6 85%	0 0%	1 14%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	7
06:00	0 0%	0 0%	3 60%	1 20%	0 0%	0 0%	1 20%	0 0%	0 0%	0 0%	5
07:00	0 0%	0 0%	2 100%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	2
08:00	0 0%	0 0%	6 50%	0 0%	0 0%	0 0%	3 75%	0 0%	0 0%	0 0%	4
09:00	0 0%	3 25%	3 6%	11 21%	26 49%	3 6%	4 8%	0 0%	0 0%	0 0%	12
10:00	0 0%	6 11%	7 13%	19 34%	5 9%	0 0%	0 0%	0 0%	0 0%	0 0%	53
11:00	13 23%	12 21%	7 9%	8 11%	17 23%	20 27%	14 19%	1 1%	0 0%	0 0%	56
12:00	0 0%	8 11%	7 9%	19 24%	18 23%	1 1%	22 28%	0 0%	0 0%	0 0%	75
13:00	0 0%	2 3%	18 23%	3 7%	11 24%	24 52%	4 9%	0 0%	0 0%	0 0%	46
14:00	0 0%	0 0%	1 2%	3 7%	15 37%	7 17%	4 10%	0 0%	0 0%	0 0%	41
15:00	0 0%	4 10%	0 0%	2 5%	5 16%	16 50%	7 22%	3 9%	0 0%	0 0%	32
16:00	0 0%	0 0%	0 0%	1 3%	11 38%	2 7%	1 3%	0 0%	0 0%	0 0%	29
17:00	0 0%	4 14%	7 24%	4 14%	9 24%	2 5%	0 0%	0 0%	0 0%	0 0%	38
18:00	0 0%	7 18%	17 45%	3 8%	11 22%	3 6%	2 4%	0 0%	0 0%	0 0%	50
19:00	2 4%	3 6%	10 20%	19 38%	11 22%	3 6%	2 4%	0 0%	0 0%	0 0%	22
20:00	2 3%	1 5%	11 50%	2 9%	6 27%	0 0%	0 0%	0 0%	0 0%	0 0%	61
21:00	2 3%	14 23%	19 31%	14 23%	8 13%	4 7%	0 0%	0 0%	0 0%	0 0%	44
22:00	2 5%	5 11%	14 32%	12 27%	7 16%	4 9%	0 0%	0 0%	0 0%	0 0%	44
23:00	1 3%	10 33%	4 13%	12 40%	0 0%	2 7%	1 3%	0 0%	0 0%	0 0%	30
	44 6%	84 11%	140 18%	137 18%	160 21%	89 12%	77 10%	14 2%	7 1%	5 1%	757
	6%	17%	35%	54%	75%	86%	97%	98%	99%	100%	39.89

Wait Time at Airport (Guest Count)

From: 8/3/12
Through: 8/3/12

FRIDAY

Time	0-5	6-10	11-15	16-20	21-25	25-30	31-40	41-50	51-60	>60	
00:00	2	10	2	2	5	3	7	1	0	0	32
01:00	0	0	0	0	0	0	0	0	0	0	1
02:00	0	0	2	0	0	0	1	0	0	0	2
03:00	0	0	0	0	0	0	0	0	0	0	0
04:00	0	0	0	0	0	0	0	0	0	0	0
05:00	0	0	2	1	0	0	0	0	0	0	0
06:00	4	2	1	0	0	0	0	0	0	0	3
07:00	0	0	0	0	1	1	0	0	0	0	7
08:00	0	1	2	0	9	2	3	0	0	0	5
09:00	0	0	2	0	6	1	4	1	0	0	16
10:00	0	2	5	10	6	5	24	5	0	0	12
11:00	2	7	7	1	8	2	35	10	2	0	53
12:00	0	6	9	22	10	12	24	2	0	0	94
13:00	1	4	4	2	4	6	31	1	0	0	53
14:00	0	3	1	14	8	5	19	0	0	0	50
15:00	6	15	8	17	6	1	1	0	0	0	54
16:00	2	6	9	9	8	0	0	0	0	0	34
17:00	1	4	4	13	9	9	6	0	0	0	46
18:00	1	12	18	3	3	0	1	0	0	0	38
19:00	0	19	2	11	2	1	0	0	0	0	35
20:00	2	12	11	15	9	2	0	0	0	0	51
21:00	3	6	16	12	7	0	0	0	0	0	44
22:00	0	4	15	8	9	19	2	1	0	0	58
23:00	1	20	10	15	10	7	2	0	0	0	65
	25	133	130	155	114	77	158	22	3	21	838
	3%	16%	16%	18%	14%	9%	19%	3%	0%	21%	
	3%	19%	34%	53%	66%	76%	95%	97%	97%	100%	39.89

Wait Time at Airport (Guest Count)

From: 8/24/12
Through: 8/24/12

SATURDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	>60	
00:00	2	8	5	7	17	9	12	0	0	0	50
01:00	0	0	0	0	4	0	0	0	0	0	4
02:00	0	0	0	0	0	0	0	0	0	0	0
03:00	0	7	0	0	0	0	0	0	0	0	7
04:00	0	0	1	5	0	0	0	0	0	0	6
05:00	0	0	2	0	1	1	0	0	0	0	6
06:00	0	0	4	1	0	0	1	0	0	0	10
07:00	0	0	0	1	0	0	3	0	0	0	13
08:00	0	5	1	2	1	4	0	0	0	0	21
09:00	0	3	4	7	0	10	3	1	0	0	50
10:00	2	5	23	3	15	1	0	0	0	0	87
11:00	1	12	0	8	6	7	18	12	19	4	65
12:00	0	0	7	9	4	18	6	4	13	4	50
13:00	5	2	12	11	17	3	0	0	0	0	62
14:00	9	12	13	9	10	7	2	0	0	0	47
15:00	0	7	17	7	10	6	0	0	0	0	54
16:00	0	22	11	10	9	2	0	0	0	0	58
17:00	0	5	12	6	9	9	17	0	0	0	73
18:00	0	21	18	13	9	12	0	0	0	0	58
19:00	2	4	20	17	10	4	1	0	0	0	54
20:00	0	13	9	18	10	0	4	0	0	0	42
21:00	2	3	11	12	7	3	12	2	0	0	64
22:00	0	5	13	9	20	14	3	0	0	0	34
23:00	0	2	9	3	2	0	11	7	0	0	919
	23	136	192	158	161	102	73	30	33	11	
	3%	15%	21%	17%	18%	11%	8%	3%	4%	1%	
	3%	17%	38%	55%	73%	84%	92%	95%	99%	100%	39.89

Wait Time at Airport (Guest Count)

From: 8/5/12
Through: 8/5/12

SUNDAY

Time	0-5	6-10	11-15	16-20	21-25	26-30	31-40	41-50	51-60	>60	
00:00	0	6	0	6	6	2	1	0	0	0	21
01:00	0	11	13	7	5	4	1	0	0	0	41
02:00	0	0	8	0	0	0	0	0	0	0	8
03:00	0	0	0	0	0	0	0	0	0	0	0
04:00	0	0	0	0	0	0	0	0	0	0	0
05:00	0	0	0	1	4	0	0	0	0	0	5
06:00	0	0	0	0	0	0	0	0	0	0	0
07:00	0	0	3	0	0	2	1	0	0	0	6
08:00	0	0	1	0	0	0	0	0	0	0	3
09:00	0	0	3	8	1	0	0	0	0	0	15
10:00	0	4	3	5	10	16	3	0	0	0	49
11:00	6	10	23	5	21	16	8	4	6	19	157
12:00	0	6	14	9	15	8	16	22	16	35	157
13:00	0	8	8	6	8	21	4	13	2	6	99
14:00	4	20	13	10	22	20	2	3	0	0	55
15:00	0	4	9	8	6	16	1	0	0	0	94
16:00	0	4	12	16	13	4	3	0	0	0	44
17:00	1	6	9	11	14	2	0	0	0	0	52
18:00	4	6	9	5	14	6	0	0	0	0	43
19:00	3	9	8	12	13	1	0	0	0	0	44
20:00	5	12	12	15	15	8	1	0	0	0	46
21:00	2	18	14	9	4	3	0	0	0	0	68
22:00	5	10	10	22	6	4	0	0	0	0	50
23:00	9	10	19	15	7	1	0	0	0	0	57
	39	144	191	170	186	118	57	42	11	60	1018
	4%	14%	19%	17%	18%	12%	6%	4%	1%	6%	
	4%	18%	37%	53%	72%	83%	89%	93%	94%	100%	39.89

APPENDIX K

** Attachment referenced in this email is available at Appendix C.

From: Young, Betty (UTC)
To: "John Rowley"
Subject: RE: Shuttle Express response to staff's information request - Independent contractor program
Date: Tuesday, August 28, 2012 2:22:00 PM
Attachments: IC-112072 memo.pdf
Importance: High

John – Thank you for your response.

Based on what we've heard from you and Mr. Sherrell in recent responses to UTC staff's data requests, we assume that 4% of Shuttle Express's reservations were provided by independent contractors. (Mr. Sherrell stated that "... 96% of Shuttle Express's 2011 reservations were completed within normal operation guidelines." This means that 4% were not completed within normal guidelines. When asked how that 4% of reservations were completed, you stated those reservations were completed "... when we are late for whatever reason -- bad traffic, a reservation error, inadequate GPS information or a flat tire.")

In the rate case filed by Shuttle Express in Docket TC-112072, Shuttle Express reported annual revenue for regulated services, including revenue associated with "Independent contractors," of \$13,275,796. Shuttle Express also reported annual revenue for regulated services, excluding revenue associated with Independent contractors, of \$12,565,358. This means independent contractor revenue totaled \$710,438, or 5% of total company revenue. This is close to the 4% reported by Mr. Sherrell. (See copy of UTC staff's open meeting memo, attached.)

By September 7, 2012, please respond to the following:

Our assumption is that this \$710,438 was generated from independent contractors in those cases where Shuttle Express did not complete reservations for regulated services "within normal operation guidelines" and had to send a replacement vehicle to service a regulated auto transportation customer because, for whatever reason, the originally-scheduled vehicle was unable to pick up the customer. Is this accurate? If not, please explain.

Since Shuttle Express was able to arrive at a figure of \$710,438 for revenues associated with independent contractors for the rate case in Docket TC-112072, we assume the company keeps records for those 4-5% of customers served outside "normal operation guidelines." Is this accurate? If not, please explain.

Please tell us how many trips comprise the revenue of \$710,438 associated with independent contractors. If this information is not available, please explain why the company is able to identify the amount of revenue associated with independent contractors and not how many trips this revenue represents.

Thank you,

Betty Young

Compliance Investigator
Transportation Safety Enforcement
Washington Utilities and Transportation Commission
Phone: 360-664-1202
Fax: 360-586-1172

From: John Rowley [mailto:jrowley@shuttleexpress.net]
Sent: Tuesday, August 07, 2012 4:54 PM
To: Young, Betty (UTC)
Subject: RE: Shuttle Express response to staff's information request - Independent contractor program

Hi Betty,

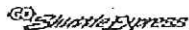
Under records request "Normal operations" are those trips completed within the standards we feel are adequate to maintain our guests' loyalty. Abnormal are those when we are late for whatever reason -- bad traffic, a reservation error, inadequate GPS information or a flat tire. Note again we have never had complaints in part because we focus on our standards being met and take whatever measures are necessary to get people to their flights. All our business is carried by our vans except in extreme circumstances when a rescue is in order and then any vehicle may be used. When we are late or running abnormal operations, there is no change to the guest in how we complete the reservations whether we send a rescue vehicle or not. For instance a guest may not even know the originally assigned van had a flat tire, when another rescue van is sent by our dispatcher.

I have attached a report on a few different days. We use this report to determine how we did.

I hope this helps,

Thanks,

John Rowley
President
425-981-7070



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From: Young, Betty (UTC) [mailto:BYoung@utc.wa.gov]
Sent: Monday, August 06, 2012 7:16 AM
To: John Rowley (jrowley@shuttleexpress.net)
Subject: Shuttle Express response to staff's information request - Independent contractor program
Importance: High

Mr. Rowley,

In his attached response, Mr. Sherrell states that 96% of Shuttle Express's 2011 reservations were completed within "normal operation guidelines." (See section titled "Records Request.")

1. Please define what "normal operation guidelines" are.
2. Please describe how the remaining 4% of the reservations were completed.

Thank you for your prompt response.

Betty Young
Compliance Investigator
Transportation Safety Enforcement
Washington Utilities and Transportation Commission
Phone: 360-664-1202
Fax: 360-586-1172

APPENDIX L

From: Paul Kejanoff
To: Young, Betty (UTC)
Cc: "John Rowley"
Subject: Shuttle Express response to staff's information request - Independent contractor program
Date: Friday, September 21, 2012 1:46:08 PM
Importance: High

Dear Ms. Young,

Jimmy Sherrell requested I send the following response on his behalf:

This is in response to your request for further clarification of Independent Contractor Program.

Question; 4% not completed within normal guidelines. As stated by Mr. Rowley, "...within standards we feel are adequate to maintain our guests' loyalty"

This does not mean 4% were "not" completed within normal guidelines. What it does mean is we are sensitive to the convenience/service to travelers using our services. Included in Mr. Rowley's response are copies of staging times at the airport. On these reports is noted traveler staging times. We feel there is a length of staging time that is acceptable and one that is not. Once we have a staging time in excess, which is easy to identify on the recent report attachment of 45 minutes or longer, we seek to find these travelers an alternative to get them on their way, staying in the convenience/service time zone. Because we have affiliated independent towncar operator who are regulated, licensed and insured we have a viable legal alternative. I address the legality due to they are licensed for one stop service. Our UTC license for Auto Transportation is multi stop. Conversely, if we were a single stop operator as the towncar affiliates are, we would not need a UTC license.

Thus, when staging time is starting to get in excess and there are towncars available, we offer the travelers who are exceeding the 45-minute staging time the option of upgrading their travel from a multi stop van to a single stop towncar at no additional cost. This is offered verbally and travelers invariably take this option. These travelers receive a single stop trip, and thus is a viable option to waiting for a multi stop Shuttle Express ride at a later time. It is important to also understand that whether a reservation is booked through our reservation office or at the airport the same people handle both booking for share a ride and towncar single stop service. The only difference is at the time of booking when a traveler at their own option upgrades to a towncar, then the towncar rate is charged. Conversely when Shuttle upgraded service due to a long staging time there is no additional upgrade charge.

Question; when we are late due to bad traffic.....flat tire.

It is important to understand there are two distinct services/qualifications for using a towncar. Going to the airport the concern is making a flight and the consequences that this entails. This is what we deem to be a rescue by a towncar, limo or whatever other means we may find available. This is where the traffic....flat tire plays its biggest roll. The integrity of the promised trip and arrival

at the airport to meet a flight carries a significant degree of promised service and liability.

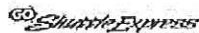
Exceeding standard staging time is a service/convenience issue. Offering an upgrade service that is direct, not multiple stops helps us keep and meet our service standards out of the airport. As you questioned, last year we had revenues of \$710,438 (12,075 trips), which is approximately 5% of Shuttles regulated revenue as shown in Docket TC-112072. Rescue is a part of the number, as well as upgrades out of the airport. We handle rescues differently than upgrades out of the airport with relation to legality. Out of the airport is a single stop, rescues is getting travelers to the airport as required.

It is my intention to answer all your questions on this matter, if you need further clarification please let us know.

Respectfully,

Jimmy Sherrell

Paul Kajanoff
Chief Financial Officer
(425)981-7063



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APPENDIX M

From: Young, Betty (UTC)
To: Paul Kajanoff (pkajanoff@shuttleexpress.net)
Cc: John Rowley (jrowley@shuttleexpress.net)
Subject: FW: Shuttle Express response to staff's information request - Independent contractor program
Date: Wednesday, October 17, 2012 8:00:00 AM
Importance: High

Please respond by October 26. Thank you.

From: Young, Betty (UTC)
Sent: Wednesday, October 17, 2012 7:59 AM
To: 'Paul Kajanoff'
Cc: 'John Rowley'
Subject: RE: Shuttle Express response to staff's information request - Independent contractor program
Importance: High

Mr. Sherrell:

Thank you for your response. You differentiate between upgrades out of the airport and "rescue" service. You state clearly that upgrades out of the airport are provided as single stop service by town cars or limos; however, the response was not as clear about rescue service.

Please clarify the following statement by answering each of the questions below:

"Out of the airport is a single stop, rescues is getting travelers to the airport as required."

1. Are rescue trips provided as single stops by town cars or limos as well?
2. If one of your multi-stop vans has a flat tire or another condition exists that requires a "rescue service" while picking up or dropping off multiple passengers at different locations, how do you transport the waiting/stranded passengers?
 - a. Do you dispatch another van to pick people up?
 - b. Do you upgrade passengers to limo or town car service? If so,
 - i. Are limos or town cars sent to pick up each individual customer?
 - ii. Do limos or town cars make multiple stops to pick up multiple passengers?
3. As I requested previously, please tell us how many trips comprise the revenue of \$710,438 associated with independent contractors. If this information is not available, please explain why the company is able to identify the amount of revenue associated with independent contractors and not how many trips this revenue represents.

Betty Young
 Compliance Investigator
 Transportation Safety Enforcement
 Washington Utilities and Transportation Commission
 Phone: 360-664-1202
 Fax: 360-586-1172

APPENDIX N

From: Jimmy Sherrell
To: Young, Betty (UTC)
Cc: John Rowley; Paul Kajanoff
Subject: Rescue
Date: Friday, October 19, 2012 10:36:58 AM

A rescue trip is just that, we use what ever form of transportation is available in the area. Shuttle does not have vans / cars stationed at base just waiting to be dispatched. If possible and we have a van, if it is in the area, pick up multiple passengers. This includes single or multiple stops. However, the selection of vehicle also depends on its location to the rescue needed and flight/ arrival time to the airport for the other people on the van or people yet to be picked up by that van. AND when a rescue is required the type vehicle used is secondary to the services required, Shuttle guarantees people will make their flight. What ever it takes we get people to their flight with services we know meets Shuttles standards.

I do not know where these questions are going. Bottom line, we have commitment to the traveling public to get them to their flight on time and we do. Shuttle is knowledgeable of the regulations and performs within these regulations. Up grading people out of the airport without up-charging is providing excellent service within the regulations. I feel we have answered all questions to the best of our records and knowledge. If you wish to discuss personally please feel free to call me personally. 206-930-6057

Jimmy Sherrell

APPENDIX O



STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

October 31, 2012

Jimmy Sherrell, President
Shuttle Express, Inc.
800 SW 16th Street
Renton, Washington 98057

RE: Data Request – Independent Contractors

Dear Mr. Sherrell:

On October 17, 2012, staff of the Washington Utilities and Transportation Commission (commission) sent a request for information about Shuttle Express Inc.'s (Shuttle Express) independent contractor program to you by email. You responded by email on October 17, 2012.¹ Staff believes the information you provided did not answer the questions fully, and therefore requests additional, specific information from Shuttle Express.

By November 14, 2012, please respond by providing specific answers to the following questions:

1. Shuttle Express has told staff that if one of its multi-stop vans has a flat tire, or another condition exists that requires a "rescue" while picking up or dropping off passengers, it uses independent limousines and for-hire vehicles to rescue the passengers. Under this scenario, please answer the following questions:
 - a. Please describe specifically the circumstances under which Shuttle Express uses its rescue service (e.g., flat tire, traffic problems, over-booking for which a Shuttle Express vehicle is not available),
 - b. Does Shuttle Express utilize limousines and for-hire vehicles to provide multi-stop service along its regulated routes when it provides rescue services?
 - If so, please describe specifically how Shuttle Express or its independent contractors transport the waiting or stranded passengers.

¹ Copies of email correspondence enclosed.

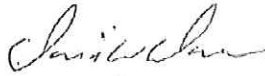
Jimmy Sherrell
October 31, 2012
Page 2

- If so, is this multi-stop service provided by independent contractor operators under contract with Shuttle Express in Shuttle Express' Independent Contractor Program?
2. Shuttle Express reported \$710,438 in revenues from independent contractors, which it states is approximately 5 percent of the company's regulated revenue and comprises 12,075 trips. Shuttle Express has told staff that it uses independent contractors for both rescue services as described above, and for upgrades to luxury transportation for individual passengers coming out of the airport.
- a. How many of these 12,075 trips represent "rescue" trips and how many were upgrades out of the airport?
 - b. Of the rescue trips, how many involved multiple stops to pick up or drop off passengers?

By law, the commission and its staff have the right, at any and all times, to inspect the accounts, books, papers and documents of Shuttle Express.² Please respond to each question specifically. If staff does not receive specific answers to these questions, it will ask the commission to order Shuttle Express to provide the requested information.

Please direct your response to Betty Young, Compliance Investigator, Transportation Safety, at the Washington Utilities and Transportation Commission, PO Box 47250, Olympia, WA 98504-7250. Ms. Young can be reached at 360-664-1202 or by e-mail at byoung@utc.wa.gov.

Sincerely,



David W. Danner
Executive Director and Secretary

Enclosures

² RCW 81.04.070, enclosed.

Young, Betty (UTC)

From: Jimmy Sherrell <jimmysh@attglobal.net>
Sent: Friday, October 19, 2012 10:38 AM
To: Young, Betty (UTC)
Cc: John Rowley; Paul Kajanoff
Subject: Rescue

A rescue trip is just that, we use whatever form of transportation is available in the area. Shuttle does not have vans / cars stationed at base just waiting to be dispatched. If possible and we have a van, IF it is in the area, pick up multiple passengers. This includes single or multiple stops. However, the selection of vehicle also depends on its location to the rescue needed and flight/ arrival time to the airport for the other people on the van or people yet to be picked up by that van. AND when a rescue is required the type vehicle used is secondary to the services required, Shuttle guarantees people will make their flight. Whatever it takes we get people to their flight with services we know meets Shuttles standards.

I do not know where these questions are going. Bottom line, we have commitment to the traveling public to get them to their flight on time and we do. Shuttle is knowledgeable of the regulations and performs within these regulations. Up grading people out of the airport without up-charging is providing excellent service within the regulations. I feel we have answered all questions to the best of our records and knowledge. If you wish to discuss personally please feel free to call me personally. 206-930-6057

Jimmy Sherrell

Young, Betty (UTC)

From: Young, Betty (UTC)
Sent: Wednesday, October 17, 2012 8:01 AM
To: Paul Kajanoff (pkajanoff@shuttleexpress.net)
Cc: John Rowley (jrowley@shuttleexpress.net)
Subject: FW: Shuttle Express response to staff's information request - Independent contractor program

Importance: High

Please respond by October 26. Thank you.

From: Young, Betty (UTC)
Sent: Wednesday, October 17, 2012 7:59 AM
To: 'Paul Kajanoff'
Cc: 'John Rowley'
Subject: RE: Shuttle Express response to staff's information request - Independent contractor program
Importance: High

Mr. Sherrell:

Thank you for your response. You differentiate between upgrades out of the airport and "rescue" service. You state clearly that upgrades out of the airport are provided as single stop service by town cars or limos; however, the response was not as clear about rescue service.

Please clarify the following statement by answering each of the questions below:

"Out of the airport is a single stop, rescues is getting travelers to the airport as required."

1. Are rescue trips provided as single stops by town cars or limos as well?
2. If one of your multi-stop vans has a flat tire or another condition exists that requires a "rescue service" while picking up or dropping off multiple passengers at different locations, how do you transport the waiting/stranded passengers?
 - a. Do you dispatch another van to pick people up?
 - b. Do you upgrade passengers to limo or town car service? If so,
 - i. Are limos or town cars sent to pick up each individual customer?
 - ii. Do limos or town cars make multiple stops to pick up multiple passengers?
3. As I requested previously, please tell us how many trips comprise the revenue of \$710,438 associated with independent contractors. If this information is not available, please explain why the company is able to identify the amount of revenue associated with independent contractors and not how many trips this revenue represents.

Betty Young
 Compliance Investigator
 Transportation Safety Enforcement
 Washington Utilities and Transportation Commission
 Phone: 360-664-1202
 Fax: 360-586-1172

From: Paul Kajanoff [mailto:pkajanoff@shuttleexpress.net]
Sent: Friday, September 21, 2012 1:46 PM
To: Young, Betty (UTC)
Cc: 'John Rowley'
Subject: Shuttle Express response to staff's information request - Independent contractor program
Importance: High

Dear Ms. Young,

Jimmy Sherrell requested I send the following response on his behalf:

This is in response to your request for further clarification of Independent Contractor Program.

Question; 4% not completed within normal guidelines. As stated by Mr. Rowley, "...within standards we feel are adequate to maintain our guests' loyalty"

This does not mean 4% were "not" completed within normal guidelines. What it does mean is we are sensitive to the convenience/service to travelers using our services. Included in Mr. Rowley's response are copies of staging times at the airport. On these reports is noted traveler staging times. We feel there is a length of staging time that is acceptable and one that is not. Once we have a staging time in excess, which is easy to identify on the recent report attachment of 45 minutes or longer, we seek to find these travelers an alternative to get them on their way, staying in the convenience/service time zone. Because we have affiliated independent towncar operator who are regulated, licensed and insured we have a viable legal alternative. I address the legality due to they are licensed for one stop service. Our UTC license for Auto Transportation is multi stop. Conversely, if we were a single stop operator as the towncar affiliates are, we would not need a UTC License.

Thus, when staging time is starting to get in excess and there a towncars available, we offer the travelers who are exceeding the 45-minute staging time the option of upgrading their travel from a multi stop van to a single stop towncar at no additional cost. This is offered verbally and travelers invariably take this option. These travelers receive a single stop trip, and thus is a viable option to waiting for a multi stop Shuttle Express ride at a later time. It is important to also understand that whether a reservation is booked through our reservation office or at the airport the same people handle both booking for share a ride and towncar single stop service. The only difference is at the time of booking when a traveler at their own option upgrades to a towncar, then the towncar rate is charged. Conversely when Shuttle upgraded service due to a long staging time there is no additional upgrade charge.

Question; when we are late due to bad traffic.....flat tire.

It is important to understand there are two distinct services/qualifications for using a towncar. Going to the airport the concern is making a flight and the consequences that this entails. This is what we deem to be a rescue by a towncar, limo or whatever other means we may find available. This is where the traffic.....flat tire plays its biggest roll. The integrity of the promised trip and arrival at the airport to meet a flight carries a significant degree of promised service and liability.

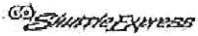
Exceeding standard staging time is a service/convenience issue. Offering an upgrade service that is direct, not multiple stops helps us keep and meet our service standards out of the airport. As you questioned, last year we had revenues of \$710,438 (12,075 trips), which is approximately 5% of Shuttles regulated revenue as shown in Docket TC-112072. Rescue is a part of the number, as well as upgrades out of the airport. We handle rescues differently than upgrades out of the airport with relation to legality. Out of the airport is a single stop, rescues is getting travelers to the airport as required.

It is my intention to answer all your questions on this matter, if you need further clarification please let us know.

Respectfully,

Jimmy Sherrell

Paul Kajanoff
Chief Financial Officer
(425)981-7063



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APPENDIX P

From: [John Rowley](#)
To: [Young, Betty \(UTC\)](#)
Subject: UTC response 11-15-12.docx
Date: Thursday, November 15, 2012 9:03:54 AM

Attachments: [UTC response 11-15-12.docx](#)

Hi Betty,

I just noticed an editing comment I had not deleted on page 2. No worries if too late.

Thanks, JR

1. Shuttle Express has told staff that if one of its multi-stop vans has a flat tire, or another condition exists that requires a “rescue” while picking up or dropping off passengers, it uses independent Limousines and for-hire vehicles to rescue the passengers. Under this scenario, please answer the following questions:
 - a. Please describe specifically the circumstances under which Shuttle Express uses its rescue service (e.g., flat tire, traffic problems, overbooking for which a Shuttle Express vehicle is not available),

Shuttle Express airport service is not a typical line run operation like most that are regulated by the UTC. The majority of our airport business is share-ride. Share-ride service is a “plan as you go” routing service. Morning share-ride reservations are routed the night before to make the trips most efficient, while giving the best rides to our guests. Consideration is given to locations and number of stops. The rest of the reservations to the airport are routed a few hours ahead of time. From the airport, routes are created in real time as guests check in with us at our airport location. In real time, ALL routes are adjusted as changes occur making our service much different than a line run operation where routes are planned *and submitted* ahead of time.

Shuttle Express uses “rescue service” to prevent passengers from missing a flight or from waiting extraordinarily long at the airport. It should be noted Airport Management uses taxis for multi stop share ride when rescue service is needed out of the airport to keep travelers from waiting long especially during winter storms. This action by the airport sets its expectation/standard for getting travelers out of the airport timely and on their way at all times. To the airport, we cannot fail by being late or our guest will possibly miss their flight. Rescue service for share-ride is perhaps the single most important strategic function creating success within our operation and company and is the primary function of our dispatch crew.

There are many unforeseen circumstances that may lead to a rescue. Delays create the need for rescue service. The most common source of delays is bad traffic. There are many other situations that arise causing us to be delayed and they are too numerous to list. The main cause of delay that leads to a rescue is bad traffic.

If traffic or any other circumstance causes a delay to a share-ride van in either direction it also has the same effect on the coinciding trip. Thus to catch up with demand a rescue is mandatory unless travelers are just left to their own demise. If no action was taken not only the travelers on the effected route would be left stranded, but subsequent routes would also be affected. Because Shuttle carries travelers both inbound and outbound for the airport each segment has a direct effect on other segments. This is uniquely unlike airport taxi's that only take travelers one direction and have single stops. They do not have the challenges of multi stop two-way transportation to the extent that Shuttle Express does.

I want to make it perfectly clear that Shuttle does NOT OVERBOOK. We have sufficient vans and drivers to handle each day. Our challenge is matching the demands of the traveling public each hour each and every day. Demands are very different each day and therefore share-ride routes are very different each day. Using our technology, the focus of a point person and our overall experience, Shuttle uses a sophisticated process to gather future and past data to project what will be needed 24 hours a day, 7 days a week. Unforeseen circumstances are the core reasons changes occur to projections which cause the rescue situations we have learned to react to so very well. Still, the goal of our planners and our dispatchers daily (and hourly) is to limit the number of rescues needed by forecasting as close as possible what will happen each day.

When a circumstance causes the need for a rescue, the first resource considered is a share-ride van. A dispatcher sees if a van is in the area AND determine if it will not inconvenience other travelers that have already been assigned to that van. If another van is used, dispatch reroutes and/or changes assignments to other vans to catch up and be back on schedule. Uses of Independent Contractors are only our last resort. Independent Contractors are NEVER scheduled ahead of time for regulated service. To our guests their experience seems to be our standard on-time service and the vehicle used is our vans in most cases. When a luxury service vehicle is used it is an upgrade at no extra charge.

The WUTC does not receive complaints from the traveling public for missed flights or long airport waits because of Shuttle's reaction and use of its resources to perform rescue service.

b Does Shuttle Express utilize limousines and for-hire vehicles to provide multi-stop service along its regulated routes when it provides rescue services?

Yes, when absolutely necessary as a last resort. Our share-ride vans are used whenever possible. This is answered in (a.).

- If so, please describe specifically how Shuttle Express or its independent contractors transport the waiting or stranded passengers.

In the event an Independent Contractor is sent, dispatch notifies the traveler of the change, estimated time of arrival and the route to the airport.

- If so, is this multi-stop service provided by independent contractor operators under contract with Shuttle Express in Shuttle Express' Independent Contractor Program?

In previous correspondence we included a copy of the independent operator contract. We use only operators with whom we have a contract with and are covered under our company insurance and meet the many qualifications and requirements determined by state and/or federal regulations.

2. Shuttle Express reported \$710,438 in revenues from independent contractors, which it states is approximately 5 percent of the company's regulated revenue and comprises 12,075 trips. Shuttle Express has told staff that it uses independent contractors for both rescue services as described above, and for upgrades to luxury transportation for individual passengers coming out of the airport.
 - a How many of these 12,075 trips represent "rescue" trips and how many were upgrades out of the airport?

We don't have data to differentiate between rescue trips and upgrades out of the airport.
 - b Of these rescue trips, how many involved multiple stops to pick up or drop off passengers?

According to our records in the last rate case 5,715 trips were multi-stop – approximately 15.5 per day. In recent legislation, championed by Shuttle and signed into law, multi ride vehicles are now allowed to use the HOV lanes when traffic is not totally gridlocked. The qualification for using these lanes has been left with a loose interpretation. Thus, Shuttle driver's decision to use the lanes has been a confidence building process of law interpretation of when to use or not use these lanes. We have seen and will see a further decrease in vans experiencing traffic delays because of our ability to use the HOV lanes, which in turn reduces required rescues. Dispatchers scheduling trips are seeing a continuing improvement in van travel times the more drivers use these lanes.

This and the WUTC investigation have caused us to reexamine our policy and performance capabilities.

When Shuttle uses an Independent Operator it loses revenue that could have been generated by the vans and thus is not cost advantageous to Shuttle. As a result, starting in January Shuttle changed its policies and procedures to take advantage of this time savings and keep revenue in Shuttle. The challenge still remains to guarantee travelers reach their flight and don't experience long waits at the airport. To help with this challenge, a dispatcher is now stationed at the airport. This enables a dispatcher on site to develop routes that are more productive and in general improve efficiency.

The amount of multi-stop rescues using Independent Contractors since this change has dropped to an average of .26 per day which is negligible. That being said, each day's traffic is unpredictable and rescues will undoubtedly continue to be needed.

Our first priority is to ensure our guests are served timely and our responsibility to them is met whatever circumstances lie before us. Shuttle's complaint history proves we triumph over the trials of unforeseen circumstances and ultimately take care of our guests at no additional charge.

Shuttle Express at no time seeks to circumvent the regulations of the WUTC and wishes to both provide service to our guests and follow the rules put forward.

Respectfully, Jimy Sherrell

APPENDIX Q

From: John Rowley
To: Young, Betty (UTC)
Cc: Paul Kajanoff; "Jimmy Sherrell"
Subject: RE: UTC response 11-15-12.docx
Date: Friday, January 25, 2013 4:27:13 PM

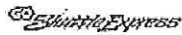
Hi Betty,

Here is the requested data:

Oct-10	316
Nov-10	283
Dec-10	486
Jan-11	453
Feb-11	393
Mar-11	434
Apr-11	381
May-11	445
Jun-11	572
Jul-11	622
Aug-11	705
Sep-11	625
	5715

Thanks and have a good weekend.

John Rowley
 President
 425-981-7070



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From: Young, Betty (UTC) [mailto:BYoung@utc.wa.gov]
Sent: Thursday, January 17, 2013 9:22 AM
To: John Rowley (jrowley@shuttleexpress.net)
Subject: FW: UTC response 11-15-12.docx
Importance: High

Hi John - In the attached response at #2, Mr. Sherrell stated,

"According to our records in the last rate case 5,715 trips were multi-stop – approximately 15.5 per day."

As the last rate case represents the time period of October 2010 through September 2011, please provide a breakdown of the 5,715 trips showing how many occurred each month. For example:

October 2010 – 500 trips

November 2010 – 501 trips

Please provide the information by January 25, 2013.

Betty Young
Compliance Investigator
Transportation Safety Enforcement
Washington Utilities and Transportation Commission
Phone: 360-664-1202
Fax: 360-586-1172

From: John Rowley [<mailto:jrowley@shuttleexpress.net>]
Sent: Thursday, November 15, 2012 9:01 AM
To: Young, Betty (UTC)
Subject: UTC response 11-15-12.docx

Hi Betty,
I just noticed an editing comment I had not deleted on page 2. No worries if too late.

Thanks, JR

APPENDIX R

**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

IN RE: APPLICATION OF
PACIFIC NORTHWEST
TRANSPORTATION SERVICES
D/B/A
CAPITAL AEROPORTER;
AIRPORT SHUTTLE

FOR PERMANENT AUTO
TRANSPORTATION AUTHORITY

DOCKET TC-111619

PROTEST AND REQUEST FOR
ADJUDICATIVE PROCEEDING
AND HEARING OF
SHUTTLE EXPRESS

1. Shuttle Express, Inc. d/b/a Shuttle Express (“Shuttle Express” or “Protestant”) protests the above captioned application of Capital Aeroporter; Airport Shuttle (“Applicant”) under WAC 480-30-032. Shuttle Express requests that the WUTC commence an adjudicative proceeding and set this application for hearing for the reasons identified in this protest.
2. The Protestant is:

Shuttle Express
800 S.W. 16th Street
Renton, WA 98057
Phone: (425) 981-7070
Attn: John Rowley, Jr.
3. The name and address of Shuttle Express’ attorney is:

Brooks E. Harlow
Lukas, Nace, Gutierrez & Sachs, LLP
8300 Greensboro Drive, Suite 1200
McLean, VA 22102
Phone: (703) 584-8680
Facsimile: (703) 584-8696
Email: bharlow@fcclaw.com

4. Shuttle Express is an auto transportation company operating under the authority issued by the WUTC in Permit C-975. See attachment. Under this certificate, Shuttle Express has the authority to provide door to door and scheduled service within the city of Seattle. Shuttle Express operates a fleet of approximately 100 vans and 15 buses.
5. Shuttle Express believes that a grant of Applicant's application is not in the public interest and is not required by the public convenience and necessity. Applicant requests authority to provide (1) passenger service between Seattle-Tacoma International Airport and Seattle Waterfront and (2) passenger service between points in Grays Harbor, Lewis, Mason, Thurston, Pierce and King counties and the Seattle Waterfront via Seattle-Tacoma International Airport. Shuttle Express already provides satisfactory service along these routes. There is no public need for the Applicant's proposed, duplicative service, as Shuttle Express's existing equipment is not fully utilized and is available to provide additional service should the need and opportunity arise.
6. If the WUTC sets this matter for hearing, Shuttle Express will appear, submit evidence and present witnesses at the hearing in support of this protest.
7. Respectfully submitted this 16th day of September, 2011

LUKAS, NACE, GUTIERREZ & SACHS, LLP



Brooks E. Harlow
WSB No. 11843

Attorney for SHUTTLE EXPRESS, INC.