

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

DOLLY, INC.

To Amend Motor Carrier Rules or in the
Alternative to Initiate Rulemaking

DOCKET TV-170999

PUBLIC COUNSEL'S RESPONSE
TO DOLLY, INC.'S PETITION TO
AMEND MOTOR CARRIER RULES
OR IN THE ALTERNATIVE TO
INITIATE RULEMAKING

I. INTRODUCTION AND REQUESTED RELIEF

1. Pursuant to Washington Administrative Code section 480-07-370 (4) Public Counsel submits the following Response to the Dolly, Inc. ("Petitioner") Petition to Amend Motor Carrier Rules or in the Alternative to Initiate Rulemaking, filed on September 26, 2017. Public Counsel requests the Commission grant the Petitioner's Alternative to Initiate a Rulemaking and takes no position with respect to the Petition to Amend the Motor Carrier Rules.
2. Noting state and local regulatory agencies around the country grappling with the ever-evolving business models in the transportation industry, Public Counsel welcomes the opportunity to provide meaningful input toward developing a regulatory framework that protects consumers and allows these businesses to thrive.
3. As the Petition notes, "the transportation industry (as all industries) has changed dramatically with the continued rapid innovation of digital technologies." Petition at 7. These technological innovations have outpaced the current regulatory framework leaving regulators struggling to figure out how to apply current rules. In some cases, either existing regulations do not apply to the full scope of business models in the marketplace or, they are applied to facts regulators never contemplated or conceived when the regulation was enacted.

4. These outcomes can have devastating impacts on small businesses, impede the growth of new industries, and leave consumers with fewer available options in the marketplace. Furthermore, a lack of relevant and fully applicable regulatory frameworks creates an environment in which consumers may lack the same protection afforded under historical regulatory paradigms. Public Counsel views the lack of specific rules applicable to the Petitioner's business model as an opportunity for the Commission to provide direction and clarity to the industry, in addition to providing guidance to other jurisdictions through the development of novel regulatory frameworks.

II. CONCLUSION

5. For the reasons stated above, Public Counsel supports the Petitioner's request for the Commission to, "initiate a rulemaking proceeding to engage stakeholders in a collaborative effort to adopt reasonable regulations to address the concerns raised in this Petition." Id at 14. If the Commission approves this request, Public Counsel welcomes the opportunity to join the rulemaking collaborative and provide guidance on behalf of Washington's residential and small business consumers.

6. DATED this 16th day of October, 2017.

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