

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In The Matter of

BML INVESTMENTS LLC  
d/b/a WENATCHEE VALLEY SHUTTLE

Requesting a Flexible Fare Tariff

DOCKET TC-220147

ORDER 01

APPROVING FLEXIBLE FARE  
TARIFF

**BACKGROUND**

- 1 On August 21, 2013, the Washington Utilities and Transportation Commission (Commission) adopted and amended rules in WAC 480-30 relating to passenger transportation companies in Docket TC-121328. The rules became effective on September 21, 2013.
- 2 One of these rules, WAC 480-30-420, allows an auto transportation company to offer flexible fares for regulated services. The rule allows a company operating under a flexible fare tariff to charge up to a maximum fare, calculated as 25 percent over the published or base fare in the company's tariff prior to Commission approval of the flexible fares.
- 3 On March 3, 2022, BML Investments LLC d/b/a Wenatchee Valley Shuttle (WVS or Company) filed new Tariff No. 5 requesting to implement fare flexibility. WVS proposes implementing flexible rates for all its routes and services. The requested effective date for Tariff No. 5 is April 4, 2022. The Company provides scheduled auto transportation service by reservation only between Pangborn Memorial Airport and Seattle-Tacoma International Airport, with intermediate stops at Wenatchee, Peshastin, North Bend, and Bellevue.
- 4 Commission staff (Staff) reviewed the filing and found several clerical errors. The Company filed revised tariff pages on March 14, 2022, and on March 16, 2022, to correct those errors.
- 5 Staff agrees that the revised tariff sheets accurately depict the Company's established base fares and allowable maximum fares under WAC 480-30-420. Staff recommends that the Commission approve a flexible fare tariff for WVS and allow the tariff revisions filed

on March 3, 2022, as revised on March 14, 2022, and on March 16, 2022, to become effective on April 4, 2022, as requested.

### DISCUSSION

6 The Commission agrees that WVS has demonstrated that its proposed flexible fare tariff complies with WAC 480-30-420. The maximum fares listed do not exceed 25 percent of currently approved and published fares. Under the Commission's auto transportation flexible fare rules, no further review is required.<sup>1</sup>

7 By approving a flexible fare tariff for WVS, the Commission is not approving or establishing any specific fare. Commission approval empowers WVS to charge varying fares as determined by actual market conditions. The Company will have the discretion to charge any fare it deems appropriate, up to the maximum fare. Thus, the Company, not the Commission, will establish the specific fares charged to customers.

8 Staff will monitor the implementation of this flexible fare tariff to ensure that WVS is providing service to the satisfaction of the Commission. We remain sensitive to the needs of auto transportation customers and trust that implementation of flexible fare tariffs will continue to provide fair, just, and reasonable rates.

### FINDINGS AND CONCLUSIONS

- 9 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, regulations, and practices of public service companies, including auto transportation companies.
- 10 (2) WVS is an auto transportation company and a public service company subject to Commission jurisdiction.
- 11 (3) On March 3, 2022, WVS filed a flexible fare tariff, and filed revised pages on March 14, 2022, and on March 16, 2022.

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<sup>1</sup> Companies authorized to charge flexible fares must use the fares to recover all costs associated with providing passenger service, including, but not limited to, fuel costs, tolls, ferry fares, surcharges, and taxes. See WAC 480-30-420(4) and (11).

- 12 (4) This matter came before the Commission at its regularly scheduled meeting on March 24, 2022.
- 13 (5) WVS has demonstrated that its proposed maximum fares do not exceed 25 percent of its base fares.

**ORDER**

**THE COMMISSION ORDERS:**

- 14 (1) The tariff revisions BML Investments LLC d/b/a Wenatchee Valley Shuttle filed in this docket on March 3, 2022, as revised on March 14, 2022, and on March 16, 2022, shall become effective on April 4, 2022.
- 15 (2) When providing notice to consumers or in its advertising, BML Investments LLC d/b/a Wenatchee Valley Shuttle, shall not state or imply that the Commission approved or established any specific fare.

DATED at Lacey, Washington, and effective March 24, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL  
Executive Director and Secretary