

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

TO THE MOUNTAIN SHUTTLE, LLC,  
d/b/a TO THE MOUNTAIN SHUTTLE

Requesting Forbearance from Rate and  
Service Regulation as an Auto  
Transportation Company under RCW  
81.68.015 and Exemption from the  
Provisions of WAC 480-30-096 Relating to  
Application Filing Requirements.

DOCKET TC-230129

ORDER 01

GRANTING FORBEARANCE  
FROM RATE AND SERVICE  
REGULATION AS AN AUTO  
TRANSPORTATION COMPANY  
AND EXEMPTION FROM RULE

**BACKGROUND**

- 1 On February 27, 2023, To the Mountain Shuttle, LLC, d/b/a To the Mountain Shuttle (To the Mountain Shuttle or Company) filed with the Washington Utilities and Transportation Commission (Commission) a Petition requesting the Commission grant forbearance from rate and service regulation as an auto transportation company under Revised Code of Washington (RCW) 81.68.015, and requesting the Commission grant an exemption from the application requirements for auto transportation companies contained in Washington Administrative Code (WAC) 480-30-096(3)(c), (d), (f), and (g) (Petition).
- 2 The Company seeks to provide regular passenger service during the winter skiing season (approximately December 15 through March 15) between Husky Stadium Lot E18 Pole 2 in Seattle and the South Bellevue Station Park-n-Ride to the summit at Snoqualmie, Alpental, Summit West, and Summit Central ski areas via Washington State Route 520, Interstate 5, and Interstate 90.
- 3 RCW 81.68.015 excludes from rate and service regulation a passenger carrier service that is not an essential transportation service, is provided solely for recreational purposes, and does not adversely affect any current fully regulated auto transportation certificate holder.
- 4 As of the date of this order, there are no fully regulated auto transportation companies providing service on the proposed route.

5 RCW 81.68.015 requires that a company granted exemption from regulation obtain a  
charter and excursion certificate under RCW 81.70.

6 Commission staff (Staff) concludes that the service provided by the Company meets the  
exemption criteria in RCW 81.68.015.

7 In addition, the Company requests an exemption from WAC 480-30-096(3)(c), (d), (f),  
and (g). Staff agrees with the Company that documents such as financial statements,  
ridership forecasts, tariffs, and time schedules are not necessary for the Commission to  
determine whether the Company should be exempted from regulation.

8 The application appeared on the February 28, 2023, application docket. Interested parties  
were notified of the application to give them an opportunity to express their views. The  
application was not protested.

### DISCUSSION

9 We agree with Staff's recommendation and grant the Company's Petition requesting  
forbearance from rate and service regulation under RCW 81.68.015. The Company's  
proposed service is not an essential transportation service, is provided solely for  
recreational purposes, and does not adversely affect any current fully regulated auto  
transportation certificate holder. As such, we agree with Staff's recommendation to grant  
the Company's request for an exemption from the application requirements in WAC 480-  
30-096(3)(c), (d), (f), and (g) because the information required by those sections is not  
necessary to demonstrate that the proposed service qualifies the Company for forbearance  
from rate and service regulation.

### FINDINGS AND CONCLUSIONS

- 10 (1) The Commission is an agency of the State of Washington vested by statute with the  
authority to regulate the rates, rules, regulations, practices, accounts, securities,  
transfers of property, and affiliated interest transactions of public service  
companies, including auto transportation companies.
- 11 (2) To the Mountain Shuttle is applying for authority to operate as a charter and  
excursion service carrier and once authorized will be subject to Commission  
jurisdiction.

- 12 (3) Under RCW 81.68.015, the Commission may grant forbearance from the application of RCW 81.68 if it finds that a service does not serve an essential transportation purpose, is solely for recreation, and will not adversely affect the operations of an auto transportation certificate holder.
- 13 (4) The Company's proposed service between Husky Stadium Lot E18 Pole 2 in Seattle and the South Bellevue Station Park-n-Ride to the summit at Snoqualmie, Alpentel, Summit West, and Summit Central ski areas via Washington State Route 520, Interstate 5, and Interstate 90 does not serve as an essential transportation service, is solely for recreation, and will not adversely affect the operations of an auto transportation certificate holder.
- 14 (5) The Company is subject to WAC 480-30-096, which requires auto transportation companies to file certain documents in applications to the Commission.
- 15 (6) Under WAC 480-07-110(1) the Commission may grant an exemption from filing requirements if doing so is consistent with the public interest, applicable rules, and underlying statutes.
- 16 (7) The Company has demonstrated that its requested exemption from WAC 480-30-096 meets the criteria set out in WAC 480-07-011(1).
- 17 (8) This matter came before the Commission at its regularly scheduled meeting on April 13, 2023.
- 18 (9) After reviewing the Petition filed in Docket TC-230129 by To the Mountain Shuttle, on February 27, 2023, and giving due consideration, the Commission finds that the request for forbearance from rate and service regulation, and an exemption from WAC 480-30-096(3)(c), (d), (f), and (g), are in the public interest and consistent with the purposes underlying regulation and applicable statutes. Accordingly, the Petition should be granted.
- 19 (10) Staff's determination and the Commission's review neither approves nor disapproves the reasonableness of any fees, charges, rates, purchase price, or accounting allocations.

**ORDER**

**THE COMMISSION ORDERS:**

- 20 (1) The request by To the Mountain Shuttle, LLC, d/b/a To the Mountain Shuttle, for  
forbearance from rate and service regulation under RCW 81.68.015 is granted.
- 21 (2) To the Mountain Shuttle, LLC, d/b/a To the Mountain Shuttle is exempted from  
complying with the requirements of WAC 480-30-096(3)(c), (d), (f), and (g) for  
the purposes of the Petition filed in this Docket.
- 22 (3) Upon completion of all other application requirements and after authority is  
granted, To the Mountain Shuttle, LLC, d/b/a To the Mountain Shuttle must  
maintain its charter and excursion permit in good standing with the Commission.
- 23 (4) The Commission retains jurisdiction over the subject matter and To the Mountain  
Shuttle, LLC, d/b/a To the Mountain Shuttle to effectuate the provisions of this  
Order.
- 24 The Commissioners, having determined this Order to be consistent with the public  
interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective April 13, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL  
Executive Director and Secretary