BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of)	DOCKET TC-121188
WICKKISER INTERNATIONAL COMPANIES, INC.,))	ORDER 01
)	ORDER GRANTING
Requesting Forbearance from Rate and)	FORBEARANCE FROM RATE AND
Service Regulation as an Auto)	SERVICE REGULATION AS AN
Transportation Company Under)	AUTO TRANSPORTATION
RCW 81.68.015)	COMPANY
)	

BACKGROUND

- I On July 11, 2012, Wickkiser International Companies, Inc. (Wickkiser or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition in Docket TC-121188, proposing to provide auto transportation service from Bellingham, Burlington, and Marysville to sporting events occurring at the Safeco or CenturyLink facilities in Seattle, and return to origin. The Company would provide only round trip service. Wickkiser requests that the Utilities and Transportation Commission forbear from rate and service regulation under RCW 81.68.015.
- 2 RCW 81.68.015 states that Commission authority over transportation companies "...does not apply to service carrying passengers for compensation over any public highway in this state between fixed termini or over a regular route if the commission finds, with or without a hearing, that the service does not serve an essential transportation purpose, is solely for recreation, and would not adversely affect the operations of the holder of a certificate under this chapter, and that exemption from this chapter is otherwise in the public interest."
- *3* If the Commission grants forbearance from rate and service regulation, the Company would provide service under a charter permit pursuant to RCW 81.70, which the Company already holds.
- 4 The Commission published Wickkiser's forbearance request in the Docket on August 14, 2012, seeking public comment. The Commission received no comment.
- 5 Commission Staff's analysis concludes that Wickkiser's proposed transportation service from Bellingham, Burlington, and Marysville to sporting events occurring at the Safeco

or CenturyLink facilities in Seattle does not serve an essential transportation purpose, does not affect any existing auto transportation companies and is for recreational purposes.

6 Considering all the facts and information presented in Wickkiser's petition, Staff concludes the Company's request is in the public interest and recommends the Commission grant the Company's petition for relief from rate and service regulation as an auto transportation company.

FINDINGS AND CONCLUSIONS

- 7 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, and transfers of public service companies including auto transportation companies. RCW 80.01.040, RCW 81.01, RCW 81.04, RCW 81.28, RCW 81.68 and RCW 81.77.
- 8 (2) The service Wickkiser proposes falls within the scope of an auto transportation company and a public service company subject to Commission jurisdiction.
- 9 (3) This matter was brought before the Commission at its regularly scheduled meeting on September 13, 2012.
- 10 (4) Wickkiser requests forbearance from rate and service regulation as an auto transportation company under RCW 81.68.015.
- (5) After review and analysis of the petition for an exemption filed in Docket TC-121188 by Wickkiser and giving due consideration of all facts presented by the Company's petition and the criteria established by RCW 81.68.015, the Commission finds that the services proposed by Wickkiser are not essential, do not effect any other auto transportation company and are for recreational purposes and finds that forbearance from rate and service regulation is in the public interest and should be granted.

THE COMMISSION ORDERS:

 (1) The Commission grants forbearance from rate and service regulation of Wickkiser International Companies, Inc., proposed service from Bellingham, Burlington, and Marysville to sporting events occurring at the Safeco or CenturyLink facilities in Seattle, and return to origin, under RCW 81.68.015.

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

DATED at Olympia, Washington, and effective September 13, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary