

VIA US MAIL AND ELECTRONIC MAIL

January 18, 2013

John Solin, Owner
Mike Lauver, Owner
SeaTac Shuttle, LLC
P.O. Box 2895
Oak Harbor, WA, 98277

RE: TC-130016, *Tariff No. 5, Passenger Rules and Time Schedule No. 10 Revision*

Dear Messrs. Solin and Lauver:

On January 3, 2013, SeaTac Shuttle, LLC, filed with the commission a tariff proposing Passenger Rules changes, and Time Schedule No. 10, which introduces service between Whidbey Island and Bellingham International Airport. The proposed filing reflects an issuance date of January 3, 2013, and an effective date of January 7, 2013. The cover letter states that the filing complies with the requirements of WAC 480-30-301, which authorizes one business-day notice to the commission. However, that rule is inapplicable here.

The filing proposes to restrict access to service by adding a new provision regarding “customers of size,” which requires the purchase of two tickets by any customer who cannot comfortably fit within one seat. Because this is an increase in rates for certain individuals, this provision requires 30 days’ notice to the commission and customers and therefore does not comply with RCW 81.28.050 and WAC 480-30-316. In addition, the company failed to identify this new provision in its Passenger Rules, as required by WAC 480-30-336.

Finally, proposed Time Schedule No. 10 bears the incorrect page number of “Original Page No. 11.” The page number should read, “2nd revised page No. 10.” The company’s current time schedule contains a page 11 that lists the various mileages between points of service.

John Solin, Owner
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January 18, 2013
Page 2

Under WAC 480-07-141, the commission may reject a filing if it is insufficient or defective. As filed, the company's proposed tariff and time schedule are not in compliance with the law. Consequently, the commission rejects the company's January 3, 2013, filing.

If you have any questions regarding this matter, please contact Penny Ingram, Regulatory Analyst, at pingram@utc.wa.gov or 360-664-1242.

Sincerely,

DAVID W. DANNER
Executive Director and Secretary