

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

BML Investments LLC d/b/a Wenatchee  
Valley 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-240084

ORDER 01

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

**BACKGROUND**

- 1 On February 9, 2024, BML Investments, LLC d/b/a Wenatchee Valley Shuttle (BML Investments 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 RCW 81.68.015, and requesting the Commission grant an exemption from the application requirements of WAC 480-30-256 thru 436 and WAC 480-30-096(3)(c), (d), (f) and (g) (Petition) for a specific extension application (Application) filed concurrently in TC-240084.
- 2 The Company is currently a certificated auto transportation company operating under Certificate C064605 and seeks to provide daily passenger service during the summer season (approximately Memorial Day through Labor Day) to wineries and hotels between the Siren Song Winery in Chelan, WA and Wapato Point Cellars in Manson, WA via S Lakeshore Rd along US-97 and WA-150.
- 3 Additionally, the Company wishes to add the d/b/a Chelan Trolley Co. to Certificate C064605 for the new service to operate under.
- 4 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.

5 As of the date of this order, there are no fully regulated auto transportation companies  
providing service on the proposed route.

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

7 Commission Staff (Staff) conclude that the service provided by the Company meets the  
exemption criteria of RCW 81.68.015.

8 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 for the specific  
extension filed in TC-240084. Staff supports the Company's request for exemption from  
WAC 480-30-256 through 436 and WAC 480-30-096(3)(c), (d), (f) and (g).

9 Furthermore, Staff has determined that the Company has properly registered the d/b/a  
Chelan Trolley Co. with the Washington Department of Revenue and the Federal Motor  
Carrier Safety Administration. Staff supports the addition of the d/b/a Chelan Trolley Co.  
to certificate C064605.

10 Staff has also identified that the current Certificate C064605 includes references to  
"Safeco Field" and "CenturyLink Field." These facilities are now named "T-Mobile  
Park" and "Lumen Field." Staff requests to update the certificate with the current location  
names accordingly.

11 Staff notes that interested parties were notified of the Application to give them an  
opportunity to express their views. The application was not protested.

## DISCUSSION

12 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. We also agree with Staff's recommendation to grant the  
Company's request for an exemption from the application requirements of WAC 480-30-  
096(3)(c), (d), (f) and (g).

13 We also agree with Staff's recommendation and grant the Company's additional d/b/a of  
Chelan Trolley Co.

14 Finally, we agree with Staff's request to update Certificate C064605 to reflect the current  
names of T-Mobile Park and Lumen Field.

### FINDINGS AND CONCLUSIONS

- 15 (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.
- 16 (2) BML Investments LLC is a regulated passenger transportation company and  
subject to Commission jurisdiction.
- 17 (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.
- 18 (4) The Company's proposed service between the Siren Song Winery in Chelan, WA  
and Wapato Point Cellars in Manson, WA via S Lakeshore Rd along US-97 and  
WA-150 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.
- 19 (5) The Company is subject to WAC 480-30-096, which requires auto transportation  
companies to file certain documents in its application to the Commission.
- 20 (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.
- 21 (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).

- 22 (8) This matter came before the Commission at its regularly scheduled meeting on  
March 14, 2024.
- 23 (9) After review of the Petition filed in Docket TC-240084 by BML Investments LLC  
d/b/a Wenatchee Valley Shuttle, on February 9, 2024, and giving due  
consideration, the Commission finds that granting the request for forbearance from  
rate and service regulation, and exemption from WAC 480-30-096(3)(c), (d), (f)  
and (g) for the specific extension Application filed in TC-240084 is in the public  
interest and is consistent with the purposes underlying regulation and applicable  
statutes. Accordingly, the Petition should be granted.
- 24 (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:**

- 25 (1) The request by BML Investments LLC d/b/a Wenatchee Valley Shuttle, for  
forbearance from rate and service regulation under RCW 81.68.015 is granted.
- 26 (2) To the BML Investments LLC d/b/a Wenatchee Valley 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.
- 27 (3) The additional d/b/a of Chelan Trolley Co. as well as the correction of previously  
referenced locations on Certificate C064605 is granted.
- 28 (4) BML Investments LLC d/b/a Wenatchee Valley Shuttle must maintain its  
passenger transportation and charter and excursion permit in good standing with  
the Commission.
- 29 (5) The Commission retains jurisdiction over the subject matter and BML  
Investments LLC d/b/a Wenatchee Valley Shuttle, to effectuate the provisions of  
this Order.

30 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 March 14, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFF KILLIP  
Executive Director and Secretary