

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET TC-111411
)	
PACIFIC NORTHWEST)	ORDER 01
TRANSPORTATION SERVICES)	
INC., DBA CAPITAL)	
AEROPORTER, C-862)	
)	
Petitioner,)	
)	
Seeking Exemption from the)	
Provisions of WAC 480-30-316)	
Relating to Customer Notice)	
Requirements for Tariff and Time)	ORDER GRANTING
Schedule Changes)	EXEMPTION FROM RULE
.....)	

BACKGROUND

- 1 On August 2, 2011, Pacific Northwest Transportation Services, Inc., dba Capital Aeroporter (Capital Aeroporter or Company) filed with the Washington Utilities and Transportation Commission (Commission), a new Time Schedule No. 70, replacing its previously approved Time Schedule No. 69. The new schedule:
 - Adds six additional daily trips to and from SeaTac Airport; expanding service and convenience for the Company’s customers; and
 - Adjusts arrival and departure times to and from SeaTac Airport to better fit passenger flight arrival/departure times, based upon the past six months passenger flight reservation data.
- 2 The Company has also expanded service to additional areas within its certificated authority; Certificate C-862. Staff examined Capital Aeroporter’s proposed additions and concludes that the Company is authorized to serve those areas.
- 3 WAC 480-30-316 requires passenger transportation companies to provide notice to its customers at least 30 days prior to the stated effective date for any proposed tariff change that would increase recurring or prepaid rates or restrict access to services, including time schedule changes.

4 The Company requests exemption from WAC 480-30-316, customer notice requirements, since its service is by reservation only and the change provides improved and expanded service.

5 After reviewing Capital Aeroporter's request for approval of its new Time Schedule No. 70 and together with the fact that the Company's service is by reservation only and the change provides improved and expanded service within its certificated authority, Commission Staff recommends the Commission allow Time Schedule No. 70 to become effective by operation of law, and grant the Company an exemption from the customer notice requirements specified in WAC 480-30-316.

FINDINGS AND CONCLUSIONS

6 (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 and affiliated interests of public service companies, including auto transportation carriers. *RCW 80.01.040, RCW 81.01, RCW 81.04, RCW 81.68 and RCW 81.80.*

7 (2) Capital Aeroporter is engaged in the business of auto transportation services within the state of Washington and is a public service company subject to Commission jurisdiction.

8 (3) Capital Aeroporter is subject to WAC 480-30-316, which requires passenger transportation companies to provide notice to its customers at least 30 days prior to the stated effective date for any proposed tariff change that would increase recurring or prepaid rates or restrict access to services, including time schedule changes.

9 (4) Under WAC 480-30-046, the Commission may grant an exemption from the provisions of any rule in WAC 480-30, if consistent with the public interest, the purposes underlying regulation and applicable statutes. *See also WAC 480-07-110.*

10 (5) This matter came before the Commission at its regularly scheduled meeting on August 25, 2011.

- 11 (6) After review of the time schedule change filed in Docket TC-111411 by Capital Aeroporter on August 2, 2011, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.

O R D E R

THE COMMISSION ORDERS:

- 12 (1) After the effective date of this Order, Pacific Northwest Transportation Services, Inc., dba Capital Aeroporter is granted an exemption from the customer notice requirements set forth in WAC 480-30-316 for the time schedule changes filed on August 2, 2011, in Docket TC-111411.
- 13 (2) The Commission retains jurisdiction over the subject matter and Pacific Northwest Transportation Services, Inc., dba Capital Aeroporter to effectuate the provisions of this Order.

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 August 25, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary