

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of  
  
SJ Taxi, LLC d/b/a San Juan Taxi & Tours  
  
Petitioner,  
  
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-180535

ORDER 01

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

**BACKGROUND**

- 1 On June 18, 2018, SJ Taxi, LLC d/b/a San Juan Taxi & Tours (SJ Taxi or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting the Commission grant forbearance from rate and service regulation; exempt it from regulation as an auto transportation company under RCW 81.68.015; and requesting an exemption from the requirements of WAC 480-30-096(3) items (c), (d), (f) and (g) related to application requirements.
- 2 SJ Taxi seeks to provide passenger transportation service from Friday Harbor to Roche Harbor solely for recreational purposes as a non-essential transportation service. The Company's customers are tourists engaging in recreational activities such as boating, kayaking, and hiking in the local area.
- 3 RCW 81.68.015 excludes from regulation passenger carrier service that is not an essential transportation service; that is provided solely for recreation purposes; and does not adversely affect any current fully-regulated auto transportation certificate holder. The Commission has previously determined that service of this type on and between the San Juan Islands is recreational in nature, and not an essential transportation service.<sup>1</sup>
- 4 As of the date of this order there are no fully-regulated auto transportation companies providing service in the San Juan Island area.

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<sup>1</sup> See Order 01 in Docket TC-141124 (July 10, 2014), and Order 01 in Docket TC-160821 (August 4, 2016).

5 RCW 81.68.015 requires that a company granted exemption from regulation obtain a  
charter and excursion certificate under RCW 81.70. SJ Taxi holds charter and excursion  
certificate CH-68023 and therefore meets this requirement.

6 Commission staff (Staff) concludes that the service provided by SJ Taxi meets the  
exemption criteria of 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. Staff supports SJ  
Taxi's request for exemption from WAC-480-30-096(3)(c), (d), (f) and (g).

### **DISCUSSION**

8 We agree with Staff's recommendation and grant SJ Taxi's application for forbearance  
from rate and service regulation under RCW 81.68.015, and also grant the Company's  
request for an exemption from the requirements of WAC 480-30-096(3) items (c), (d), (f)  
and (g) related to application requirements.

### **FINDINGS AND CONCLUSIONS**

9 (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 and  
affiliated interests of public service companies, including charter and excursion  
and auto-transportation companies.

10 (2) SJ Taxi is a public service company subject to Commission jurisdiction.

11 (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.

12 (4) SJ Taxi's proposed service between Friday Harbor and Roche Harbor does not  
serve an essential transportation service, is solely for recreation, and will not  
adversely affect the operations of any auto transportation certificate holder on San  
Juan Island.

- 13 (5) SJ Taxi is subject to WAC 480-30-096, which requires auto transportation companies to file certain documents in its application to the Commission.
- 14 (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.
- 15 (7) SJ Taxi demonstrated that its requested exemption from WAC 480-30-096 meets the criteria set out in WAC 480-07-110(1).
- 16 (8) SJ Taxi holds a charter and excursion permit as required in RCW 81.68.015.
- 17 (9) This matter came before the Commission at its regularly scheduled meeting on August 9, 2018.
- 18 (10) After review of the petition filed in Docket TC-180535 by SJ Taxi on June 18, 2018, and giving due consideration, the Commission finds that granting the request for forbearance from rate and service regulation, and granting an exemption from WAC 480-30-096(3) (c), (d), (f), and (g) is in the public interest, and is consistent with the purposes underlying the regulation and applicable statutes. Accordingly, the Petition should be granted.
- 19 (11) 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 SJ Taxi, LLC d/b/a San Juan Taxi & Tours for forbearance from rate and service regulation under RCW 81.68.015 is granted.
- 21 (2) SJ Taxi, LLC d/b/a San Juan Taxi & Tours is exempt 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) SJ Taxi, LLC d/b a San Juan Taxi & Tours must maintain its charter and excursion permit in good standing with the Commission.
- 23 (4) The Commission retains jurisdiction over the subject matter and SJ Taxi, LLC d/b/a San Juan Taxi & Tours, 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 9, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON, Executive Director and Secretary