

August 23, 2011

Mr. David Danner  
UTC  
1300 S Evergreen Park DR SW  
PO Box 47259  
Olympia, WA 98504-7250  
RE: Docket TC-111457

SEATAC SHUTTLE, LLC  
PO BOX 2895  
OAK HARBOR, WA 98277

I must once again dispute your assertion that you have provided any reasonable basis for your rejection of our tariff filing. While you claim that our clearly enunciating the obvious, that one passenger fare entitles that passenger to one seat, in some fashion constitutes a rate increase, you provide no example or circumstances where this would create a rate increase. The phrase “**certain passengers**” tells us nothing. What certain passengers are you referring to and how would rates be affected? You further state “SeaTac’s filing may have an impact to customer’s access to services **under a number of different scenarios**”. You have provided no examples of this impact under any scenario. You base your rejection upon the constraints of WAC 480-30-311 which is strictly related to rate increases, as we still maintain that there is no increase in any rate proposed by the filing and since you offer no specifics we maintain that your rejection is still without merit.

I want to be very clear here so that any future filings may be compliant. In your letters, specifically your statement contained in your letter of rejection of August 17:

*”Today, a customer who requires more than one seat is not required to buy an additional ticket”*

makes it clear that your, and the agency’s position is that one passenger fare entitles that passenger to as many seats as he may require.

Given this position, no company may reasonably expect to remain in business and this cannot be the intent of the legislature or the intent of the law. If you have misstated your position or can offer some illumination we await your reply.

Regarding your comment about technical assistance being available through UTC’s Consumer Protection Staff, we do not require any assistance with interpretation or implementation of WAC 480-30-321, the posting of notices, when applicable, is not challenging. What is challenging is determining the basis for your assertions and obtaining any guidance from Consumer Protection Staff on the issue and language of the filing.

Once again, as Executive Secretary and the denying authority, we still require of you explanation and clarification. It is not satisfactory to make a regulatory finding without providing clear and supportable reasoning to the regulated.

Sincerely,

Mike Lauver