

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of)	DOCKET TC-131912
)	
BREMERTON-KITSAP)	ORDER 01
AIRPORTER, INC. d/b/a Ft.)	
Lewis/McChord Airporter, The Sound)	
Connection)	
)	ORDER APPROVING FLEXIBLE
for a Flexible Fare Tariff)	FARE TARIFF
.....)	

BACKGROUND

- 1 On August 21, 2013, the Washington Utilities and Transportation Commission (Commission) adopted and amended rules in WAC 480-30 relating to passenger transportation companies in Docket TC-121328. The rules became effective on September 21, 2013.

- 2 One of the new rules, WAC 480-30-420, Fare Flexibility, allows an auto transportation company to offer flexible fares for regulated services. The rule change allows a company operating under a flexible fare tariff to charge any fare up to a maximum fare, calculated as 25 percent over the published or base fare in the company’s tariff prior to Commission approval of the flexible fares.

- 3 On October 8, 2013, Bremerton-Kitsap Airporter, Inc., d/b/a Ft. Lewis/McChord Airporter, The Sound Connection (Bremerton-Kitsap or Company) filed with the Commission revisions to the Company’s currently effective Tariff No. 10 requesting to implement fare flexibility. Bremerton-Kitsap proposed to implement flexible rates for all of its routes. The requested effective date for Tariff No. 10 is November 11, 2013.

- 4 Commission Staff reviewed the filing and agrees that the proposed tariff sheets accurately depict the Company’s established base fares and allowable maximum fares under WAC 480-30-420. Staff recommends that the Commission approve a flexible fare tariff for Bremerton-Kitsap and allow the tariff sheets filed on October 8, 2013, to become effective on November 11, 2013, as requested.

DISCUSSION

- 5 The Commission agrees that Bremerton-Kitsap has demonstrated that its proposed flexible fare tariff complies with WAC 480-30-420. The maximum fares listed do not

exceed 25 percent of currently approved and published fares. Under our new auto transportation company rules, no further review is required.¹

6 By approving a flexible fare tariff for Bremerton-Kitsap, the Commission is not approving or establishing any specific fare. Our approval empowers Bremerton-Kitsap to charge varying fares as determined by actual market conditions. We are granting the Company discretion to charge any fare it deems appropriate, up to the maximum fare. Thus the Company, not the Commission, will establish the specific fares charged to customers.

7 The Commission will monitor the implementation of this flexible fare tariff to ensure that Bremerton-Kitsap is providing service to the satisfaction of the Commission. We remain sensitive to the needs of auto transportation customers and trust that implementation of flexible fare tariffs will continue to provide fair, just, and reasonable rates for them.

FINDINGS AND CONCLUSIONS

- 8 (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, regulations, and practices of public service companies, including auto transportation companies.
- 9 (2) Bremerton-Kitsap is an auto transportation company and a public service company subject to Commission jurisdiction.
- 10 (3) On October 8, 2013, Bremerton-Kitsap, Inc., filed a flexible fare tariff.
- 11 (4) This matter came before the Commission at its regularly scheduled meeting on October 30, 2013.

¹ Companies authorized to charge flexible fares must use the fares to recover all costs associated with providing passenger service, including, but not limited to, fuel costs, tolls, ferry fares, surcharges, and taxes. Any fuel surcharge in effect at the time a company is authorized to charge flexible fares will be canceled and is not included in the base fare. See WAC 480-30-420(4) and (11). At this time, Bremerton-Kitsap has a fuel surcharge in place that will expire on November 10, 2013, prior to the effective date of its new flexible rate tariff.

- 12 (5) Bremerton-Kitsap, Inc., has demonstrated that its proposed maximum fares do not exceed 25 percent of its base fares.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The tariff revisions Bremerton-Kitsap Airporter, Inc., filed in this docket on October 8, 2013, shall become effective on November 11, 2013.
- 14 (2) In providing notice to consumers or in its advertising, Bremerton-Kitsap Airporter, LLC., shall not state or imply that the Commission approved or established any specific fare.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington on October 30, 2013, and effective November 11, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary