

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION**

In re Docket TC-060177:

SeaTac Shuttle, LLC D/B/A	:	Docket No. TC-060177
Whidbey-SeaTac Shuttle	:	
	:	Motion of SeaTac Shuttle, LLC
	:	To Postpone Consideration of CR-102
	:	
	:	

COMES NOW Seatac Shuttle, LLC, *in pro se*, responding to TC-060177 CR-102

I. NAME AND ADDRESS OF PLEADING PARTY

The pleading party's name and address are:

SeaTac Shuttle, LLC	
P.O. Box 2895	1321B Barlow
Oak Harbor, Wa 98277	Oak Harbor, Wa. 98277
(mailing)	(physical)

II. RULES AND STATUTES RELEVANT TO THIS PLEADING

This pleading involves Executive Order 97-02, 06-02, 81.68.30, WAC 480-07-385, WAC 480-30-421, -426, Docket # TC-060177 and CR-102 of the same docket.

III SUMMARY OF MOTION TO POSTPONE

The Commission has failed within the time period for this hearing to perform the requirements and purpose and intent of the CR-101 filed by WUTC staff on February 15, 2006. A ninety (90) day extension of time for consideration is warranted.

IV BACKGROUND

On February 15, 2006, the WUTC filed a CR-101 for the specific purpose of investigating rate (fares) as they relate to Auto Transportation providers.

"On February 15, 2006, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to initiate a rulemaking to consider whether it should propose rules in Chapter 480-30 WAC relating to rates (fares) and ratemaking for passenger transportation companies regulated under Chapter 81.68 RCW. Several commenters in Docket TC-020497 recommended that the Commission adopt ratemaking rules, and the Commission has opened this inquiry to consider ratemaking proposals. The Commission encourages commenters who raised this issue in the earlier proceeding to make more detailed proposals here."
NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS (By March 16, 2006), Secretary Washington Utilities and Transportation Commission

and;

Subject of possible rule making:

The Commission will consider whether it should propose rules in chapter 480-30 WAC relating to rates (fares) and ratemaking for passenger transportation companies regulated under chapter 81.68 RCW. In its review the Commission will consider whether the current regulation of entry and rates (fares) for passenger transportation companies reflects sound public policy. The review will also consider, given the current entry regulation set forth in chapter 81.68 RCW, whether the Commission should adopt rules and/or recommend statutory changes to the legislature.
Docket No. TC-060177 CR-101

Docket No. TC-060177 was opened by the WUTC to facilitate this investigation. The CR-101 was filed because the Commission failed to address this issue under Docket No. TC-020497. Subsequent to the filing, three workshops involving WUTC staff, WUTC Commissioners and stakeholders were held on April 27, June 1 and June 16, 2006, during which time stake holders were solicited by WUTC for proposals, opinions and comments regarding rate making (fare) methodologies. Further comments and clarification were sought by WUTC staff from stakeholders via email and telephone. Resolution of the Docket and CR-101 were to be complete by September of 2006.

On August 2, 2006, a CR-102 was filed by the WUTC under Docket TC-060177 limiting consideration to one inconsequential section of the WAC (480-30 (306)) disregarding all of the work of the stake holders and WUTC staff. The stake holders, over the past four and one half years, have invested tens of thousands of dollars and hundreds of man hours on this issue and the current CR-102 brings no closure or resolution.

V. **THE COMMISSION SHOULD POSTPONE CONSIDERATION OF THE CR-102 FOR NINETY (90) DAYS**

The Commission refused to consider rates (fares) under Docket No. TC-020497 and pledged to stake holders that they would be considered under a new docket to be resolved by September 2006. The current hearing does not address the issue of rates as called for by the CR-101 nor fulfill the pledge of the Commission.

Therefore the Commission should postpone the hearing on the CR-102 for ninety days (90) to give WUTC staff time to fulfill the purpose and intent of the CR-101.

VI. **CONCLUSION**

Stake holders, to the best of their ability, have complied with all of the requests of the Commission for information and input regarding rate (fare) making methodologies. The industry has made a large investment in providing information, input and in participation in the process. Stake holders have a reasonable expectation that the Commission will resolve the CR-101 in a timely fashion under the terms stated on the CR-101. WUTC staff has stated that the Commission currently has the authority to implement changes sought under the docket with out further consideration by the legislature.

Therefore, the Commission should extend the period for consideration by ninety (90) days in order to have time properly resolve this matter.

DATED this 13th day September, 2006

SeaTac Shuttle, LLC



John Solin, President