

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

Complainant,

v.

SEATAC MOTOR COACHES, LLC

Respondent.

DOCKET TE-071432

STAFF MOTION TO DISMISS
COMPLAINT AND CANCEL
HEARING

I. RELIEF REQUESTED

1 Staff of the Utilities and Transportation Commission (Staff) requests that the Commission dismiss the complaint against SeaTac Motor Coaches, LLC (SeaTac) filed July 30, 2007, in this docket and cancel the hearing set for August 21, 2007.

II. STATEMENT OF FACTS

2 On July 30, 2007, the Commission served SeaTac with a Complaint for Violations of Vehicle and Driver Safety Rules and for Failure to Meet Fitness Standards Required for Operating Authority (Complaint). In this complaint Staff sought cancellation or revocation of SeaTac's passenger transportation authority.

3 On August 8, 2007, SeaTac submitted a request for voluntary cancellation of its passenger transportation authority.¹ The Commission granted the request and issued orders

¹ Release of Authority for Cancellation, Docket No. TE-071647. Note that three certificate numbers are filled in. Two of them, certificates CH-466 and ES-183, are Commission-issued passenger transportation certificates; while the third, "MC-517655," relates to interstate authority, over which the Commission has no jurisdiction.

canceling SeaTac's charter carrier and excursion service carrier certificates on August 10, 2007.²

III. STATEMENT OF ISSUE

4 Whether the Commission should dismiss the complaint against SeaTac seeking cancellation or revocation of the carrier's passenger transportation authority, given that SeaTac voluntarily canceled such authority effective August 10, 2007.

IV. EVIDENCE RELIED UPON

5 Staff relies on the following documents, which are on file in Docket No. TE-071647:

- In re cancellation of charter carrier services certificate of passengers CH-466, Order Cancelling Certificate, issued August 10, 2007;
- In re cancellation of excursion service carrier of passengers certificate ES-183, Order Cancelling Certificate, issued August 10, 2007; and
- Release of Authority for Cancellation, filed August 8, 2007.

Copies of these documents are attached to this motion.

V. ANALYSIS AND CONCLUSION

6 Because the relief sought in the commission's complaint against SeaTac already has been effected, litigating the complaint would be superfluous. In the complaint, Staff requested the relief of cancellation or revocation. The orders that issued August 10, 2007, in Docket No. TE-071647, canceling SeaTac's passenger transportation certificates, afforded exactly that relief. Therefore, holding a hearing is unnecessary. Accordingly, Staff asks that the Commission dismiss the complaint against SeaTac and cancel the hearing set for August 21, 2007.

² Respectively: In re cancellation of charter carrier services certificate of passengers CH-466, Docket No. TE-071647, Order Cancelling Certificate; and In re cancellation of excursion service carrier of passengers certificate ES-183, Docket No. TE-071647, Order Cancelling Certificate.

DATED this 16th day of August, 2007.

Respectfully submitted,

ROBERT M. MCKENNA
Attorney General

JENNIFER CAMERON-RULKOWSKI
Assistant Attorney General
Counsel for Washington Utilities and
Transportation Commission