

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re the Application of)	DOCKET TC-143691
)	
SPEEDISHUTTLE WASHINGTON,)	
LLC d/b/a SPEEDISHUTTLE)	ORDER 05
SEATTLE)	
)	
For a Certificate of Public Convenience)	ORDER OVERRULING
and Necessity to Operate Motor Vehicles)	OBJECTION TO BENCH
in Furnishing Passenger and Express)	REQUEST; REQUIRING
Service as an Auto Transportation)	PRODUCTION OF INFORMATION
Company)	
.....)	

BACKGROUND

- 1 On March 30, 2015, the Washington Utilities and Transportation Commission (Commission) issued Final Order 04 in this docket, which overruled objections to Speedishuttle Washington, LLC d/b/a Speedishuttle Seattle’s (Speedishuttle or Company) application for a certificate of public convenience and necessity to operate as an auto transportation company.
- 2 On August 13, 2015, the Commission issued Bench Request No. 1 to obtain information about Speedishuttle’s operations. On August 17, Speedishuttle filed a response, which described the Company’s “prearranged door-to-door” service and service for “walk-up passengers who arrange their destination and service prior to boarding.”
- 3 On August 28, 2015, the Commission issued Bench Request No. 2, which included a request for records of all regulated service from SeaTac International Airport for a 30-day period beginning the day Speedishuttle began offering service to “walk-up passengers who arrange their destination and service prior to boarding” or the day Speedishuttle’s kiosk was installed at SeaTac International Airport, whichever occurred first.
- 4 On August 28, 2015, Speedishuttle contacted the Commission and expressed concerns about the scope of Bench Request No. 2. To address those concerns, the Commission

issued Amended Bench Request No. 2, requiring the production of a summary of the records requested in Bench Request No. 2.

- 5 On September 2, 2015, Speedishuttle responded to Amended Bench Request No. 2 and objected to providing a summary of the requested records. Speedishuttle argues that without the benefit of a protective order, furnishing the requested data may cause competitive harm. Speedishuttle contends that the data constitutes “customer-specific usage” information subject to a claim of confidentiality under WAC 480-07-160(2).

DISCUSSION AND DECISION

- 6 We overrule Speedishuttle’s objection to Amended Bench Request No. 2. WAC 480-07-160 expressly provides that it applies only to a claim of confidentiality under RCW 80.04.095, which is available solely to utilities the Commission regulates under RCW Title 80. The Commission regulates auto transportation companies under RCW Title 81, which contains no confidentiality provision of general applicability.¹ Accordingly, Speedishuttle cannot rely on WAC 480-07-160 to support its objection. The Company fails to cite any basis on which it may withhold information the Commission has requested,² nor are we aware of any such authority.
- 7 In the absence of any legal authority supporting the Company’s objection, therefore, Speedishuttle must comply with Amended Bench Request No. 2 and provide the requested information.

ORDER

THE COMMISSION ORDERS That:

- 8 (1) Speedishuttle Washington, LLC d/b/a Speedishuttle Seattle’s objection to Bench Request No. 2, as amended, is **OVERRULED**.

¹ RCW 81.77.210 authorizes only solid waste collection companies to claim confidentiality for competitively sensitive information provided to the Commission.

² RCW 81.04.070 grants the Commission broad authority to inspect the accounts, books, papers, and documents of any public service company.

- 9 (2) Speedishuttle Washington, LLC d/b/a Speedishuttle Seattle must produce the information requested by Amended Bench Request No. 2 no later than Wednesday, September 16, 2015, at 5:00 p.m.

Dated at Olympia, Washington, and effective September 9, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RAYNE PEARSON
Administrative Law Judge