

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKET TE-071432
TRANSPORTATION COMMISSION,	)	
	)	
Complainant,	)	ORDER 01
	)	
v.	)	
	)	INITIAL ORDER CANCELING
SEATAC MOTOR COACHES, LLC.,	)	HEARING AND DISMISSING
	)	COMPLAINT
Respondent.	)	
	)	
.....	)	

**BACKGROUND**

- 1 On July 30, 2007, the Staff of the Utilities and Transportation Commission (Commission) filed a complaint against SeaTac Motor Coaches, LLC (SeaTac) for violations of vehicle and driver safety rules and for failure to meet fitness standards required of companies maintaining operating authority with the Commission. Staff’s complaint was based on an audit of the company in June of 2007, during which Staff uncovered 50 alleged violations of Commission safety and fitness rules, some of which repeated previous similar violations.<sup>1</sup>
- 2 The Commission notified the parties that a hearing on the complaint would take place on August 21, 2007.
- 3 On August 8, 2007, SeaTac submitted a request for voluntary cancellation of its passenger transportation authority.<sup>2</sup> The Commission granted the request and issued orders canceling SeaTac’s charter carrier and excursion service carrier certificates on August 10, 2007.<sup>3</sup>

<sup>1</sup> See, Complaint at 2.

<sup>2</sup> Release of Authority for Cancellation, Docket TE-071647.

<sup>3</sup> See, respectively: *In re cancellation of charter carrier services certificate of passengers CH-466, Docket TE-071467, Order Canceling Certificate*; and, *In re cancellation of excursion service carrier of passengers certificate ES-183, Docket TE-071647, Order Canceling Certificate*.

4 Commission Staff now asks the Commission to cancel the hearing scheduled for August 21, 2007 and to dismiss the complaint.<sup>4</sup> Staff states that the relief sought under the complaint – removal of SeaTac’s operating authority – has been effected with the issuance of the Commission’s orders canceling SeaTac’s authority. Staff points out that litigating the complaint now would be superfluous.

5 The Commission regulates passenger transportation companies under a public interest standard.<sup>5</sup> The Commission concludes that, in light of SeaTac’s alleged violations of safety and fitness rules, and its voluntary request for cancellation of its authority, it would be consistent with the public interest to cancel the hearing and dismiss the pending complaint, which sought the same result. Dismissing the complaint avoids superfluous litigation and expenditure of Commission and party resources.

**ORDER**

6 The Commission orders that the hearing scheduled for August 21, 2007 is canceled and the complaint is dismissed.

Dated at Olympia, Washington and effective August 20, 2007.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

THEODORA M. MACE  
Administrative Law Judge

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<sup>4</sup> See, Staff Motion to Dismiss Complaint and Cancel Hearing, filed August 17, 2007.

<sup>5</sup> RCW 80.01.040.

## NOTICE TO THE PARTIES

This is an Initial Order. The action proposed in this Initial Order is not yet effective. If you disagree with this Initial Order and want the Commission to consider your comments, you must take specific action within the time limits outlined below. If you agree with this Initial Order, and you would like the Order to become final before the time limits expire, you may send a letter to the Commission, waiving your right to petition for administrative review.

WAC 480-07-825(2) provides that any party to this proceeding has twenty (20) days after the entry of this Initial Order to file a *Petition for Administrative Review*. What must be included in any Petition and other requirements for a Petition are stated in WAC 480-07-825(3). WAC 480-07-825(4) states that any party may file an *Answer* to a Petition for review within (10) days after service of the Petition.

WAC 480-07-830 provides that before entry of a Final Order any party may file a Petition to Reopen a contested proceeding to permit receipt of evidence essential to a decision, but unavailable and not reasonably discoverable at the time of hearing, or for other good and sufficient cause. No Answer to a Petition to Reopen will be accepted for filing absent express notice by the Commission calling for such answer.

RCW 80.01.060(3), as amended in the 2006 legislative session, provides that an initial order will become final without further Commission action if no party seeks administrative review of the initial order and if the Commission fails to exercise administrative review on its own motion. You will be notified if this order becomes final.

One copy of any Petition or Answer filed must be served on each party of record with proof of service as required by WAC 480-07-150(8) and (9). An Original and **(8)** copies of any Petition or Answer must be filed by mail delivery to:

Attn: Carole J. Washburn, Executive Secretary  
Washington Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250