

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET TC-140156
)	
SEATAC SHUTTLE, LLC)	ORDER 01
)	
Requesting Forbearance from Rate and)	ORDER GRANTING
Service Regulation as an Auto)	FORBEARANCE FROM RATE AND
Transportation Company Under)	SERVICE REGULATION AS AN
RCW 81.68.015)	AUTO TRANSPORTATION
)	COMPANY FOR SPECIFIED
)	SERVICES
.....)	

BACKGROUND

- 1 On January 31, 2014, and revised on February 18, 2014, Seatac Shuttle, LLC (Seatac or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting forbearance from rate and service regulation as an auto transportation company for certain specified services. Seatac proposes to provide auto transportation services between Whidbey Island and: (1) King County Convention Center, CenturyLink Stadium or Safeco Field for sporting shows and events, boat shows and events, home shows and events, RV shows and events, and golf shows and events; and (2) sporting events, concerts, casinos, wineries, and performing arts theaters in Washington. Seatac requests that the Commission forbear from rate and service regulation of the Company for provision of these services under RCW 81.68.015.
- 2 RCW 81.68.015 states that Commission authority over transportation companies “does not apply to service carrying passengers for compensation over any public highway in this state between fixed termini or over a regular route if the commission finds, with or without a hearing, that the service does not serve an essential transportation purpose, is solely for recreation, and would not adversely affect the operations of the holder of a certificate under this chapter, and that exemption from this chapter is otherwise in the public interest.”
- 3 If the Commission grants forbearance from rate and service regulation for these services, the Company would provide them under its existing charter permit (CH-456) pursuant to RCW 81.70.
- 4 The Commission published Seatac’s forbearance request on February 21, 2014, seeking public comment. The Commission received no comment.

5 Commission Staff's analysis concludes that Seatac's proposed transportation services between Whidbey Island and: (1) King County Convention Center, CenturyLink Stadium or Safeco Field for sporting shows and events, boat shows and events, home shows and events, RV shows and events, and golf shows and events; and (2) sporting events, concerts, casinos, wineries, and performing arts theaters in Washington do not serve an essential transportation purpose, do not adversely affect any existing auto transportation companies, and are for recreational purposes.

6 Considering all the facts and information presented in Seatac's petition, Staff concludes the Company's request is in the public interest and recommends the Commission grant the Company's revised petition for relief from rate and service regulation as an auto transportation company for the specified services.

DISCUSSION

7 We agree with Staff's analysis. The proposed services do not serve an essential transportation purpose, do not adversely affect any existing auto transportation companies, and are for recreational purposes. Particularly when viewed in the context of the Commission's reduced regulation of auto transportation companies, forbearing from regulating Seatac's provisioning of the services the Company identifies in its petition is consistent with the statute and the public interest.

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, rules, regulations, and practices of public service companies including auto transportation companies.

9 (2) The services Seatac proposes fall within the scope of services provided by an auto transportation company and a public service company subject to Commission jurisdiction.

10 (3) This matter was brought before the Commission at its regularly scheduled meeting on March 13, 2014.

11 (4) Seatac requests forbearance from rate and service regulation as an auto transportation company for these services under RCW 81.68.015.

- 12 (5) After review and analysis of the revised petition for an exemption filed by Seatac in this docket and due consideration of all facts presented by the Company's revised petition and the criteria in RCW 81.68.015, the Commission finds that the services Seatac proposes to provide do not serve an essential transportation purpose, do not adversely affect any other auto transportation company, and are for recreational purposes. The Commission concludes that forbearance from rate and service regulation of Seatac's provisioning of these services is in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The revised Petition of Seatac Shuttle, LLC, Requesting Forbearance from Rate and Service Regulation as an Auto Transportation Company under RCW 81.68.015 for the provision of certain specified services is GRANTED.
- 14 (2) The Commission will forbear from rate and service regulation of Seatac Shuttle, LLC proposed service between Whidbey Island and: (1) King County Convention Center, CenturyLink Stadium or Safeco Field for sporting shows and events, boat shows and events, home shows and events, RV shows and events, and golf shows and events; and (2) sporting events, concerts, casinos, wineries, and performing arts theaters in Washington.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order and reissue Seatac Shuttle, LLC's charter permit (CH-456 Attachment 1).

DATED at Olympia, Washington, and effective March 13, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary

Enclosed: Attachment 1