

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of)	DOCKET TC-143691
)	
SPEEDISHUTTLE WASHINGTON,)	
LLC d/b/a SPEEDISHUTTLE)	SHUTTLE EXPRESS'S RESPONSE
SEATTLE)	TO COMMISSION'S PROPOSED
)	AMENDMENT TO ORDER 04
For a Certificate of Public Convenience)	
and Necessity to Operate Motor Vehicles)	
in Furnishing Passenger and Express)	
Service as an Auto Transportation)	
Company)	
.....)	

PROCEDURAL HISTORY

- 1 Shuttle Express submits this response pursuant to the Washington Utilities and Transportation Commission's November 4, 2015, "Notice of Intent to Amend Order 04" and "Notice of Opportunity to File Written Response."
- 2 On October 10, 2014, Speedishuttle Washington, LLC filed with the Commission an application to provide door-to-door service between SeaTac Airport and points within King County.
- 3 On November 10, 2014, Shuttle Express, Inc. objected to Speedishuttle's application because Shuttle Express already provides the requested service in the same area and to the satisfaction of the Commission. On November 20, 2014, Pacific Northwest Transportation Services, Inc. d/b/a Capital Aeroporter Shuttle, filed a similar objection.

4 On January 12, 2015, the Commission conducted a brief adjudicative proceeding on the issue of whether Speedishuttle’s proposed service could be distinguished from the service already provided by Shuttle Express and Capital Aeroporter. *See* WAC 480-30-116.

5 At the January 12, 2015 hearing, Speedishuttle President Cecil Morton distinguished the service Speedishuttle would provide from that of Shuttle Express by testifying that Speedishuttle would *not* provide on-demand service to passengers, such as walk-up passengers at the airport:

David Wiley, Attorney for Speedishuttle: And in terms of reservation, door-to-door service, is there a distinction to be made about prearranged service that you are proposing to limit yourself to and, shall we say, walk-up service?

Cecil Morton, President of Speedishuttle: Well, the distinction between walk-up service, or on-demand service, is what Shuttle Express operates at the airport today under the concession agreement, which you and I can arrive at the airport and decide what option we’d like to take: maybe a taxi, black car — excuse me, or shuttle, or a rental car for that matter. *We will not have that service. We would only have prearranged*, so that’s why we would have greeters in the baggage claim greeting, at the baggage claim, prearranged guests.

(Transcript of Br. Adjudicative Hr’g at p. 48:2–15.)

6 On January 22, 2015, the Commission issued Initial Order 02, which overruled the objections to Speedishuttle’s application. On March 30, 2015 the Commission issued Final Order 04, which affirmed Initial Order 02. Effective April 10, 2015, Speedishuttle received Certificate No. C-65854, which authorized Speedishuttle to provide “door-to-door passenger service between Seattle International Airport and points within King County.”

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BENCH REQUESTS

8 In August 2015, the Commission issued Bench Requests Nos. 1 and 2 requesting that Speedishuttle describe all of the services it was providing at SeaTac International Airport.

9 In response to the Commission's Bench Requests Nos. 1 and 2, Speedishuttle stated that it has been providing on-demand passenger service to walk-up passengers since June 12, 2015, when it installed a podium at SeaTac International Airport. Speedishuttle has served 669 walk-up passengers since that time, which represents more than one-third of their total passengers.

RESPONSE

10 Speedishuttle has been operating contrary to the testimony under oath of Speedishuttle President Cecil Morton. Mr. Morton testified that Speedishuttle would not provide walk-up or on-demand service. Mr. Morton further testified that it would serve "only" prearranged passengers, and that "all" Speedishuttle passengers would be greeted at the baggage claim by Speedishuttle greeters.

11 Shuttle Express has been substantially harmed by Speedishuttle's encroachment on Shuttle Express's exclusive authority to provide walk-up, on-demand service to SeaTac Airport passengers. Speedishuttle installed a podium to accommodate and entice Shuttle Express's walk-up passengers, and more than one-third of Speedishuttle's passengers are now walk-up passengers. These are passengers which Shuttle Express is alone authorized to serve. Pursuant to WAC 480-30-086, companies must operate strictly within the authority granted to them by the Commission. Speedishuttle has exceeded the authority requested and testified to in the brief adjudicative hearing to the detriment of Shuttle Express.

- 12 In light of the false testimony submitted by Speedishuttle President Mr. Morton in obtaining Speedishuttle's certificate, Shuttle Express affirms the Commission's intention that Speedishuttle's Certificate No. C-65854 be modified.
- 13 Shuttle Express respectfully requests that the UTC amend Final Order 04 and Certificate No. C-65854 to specify that Speedishuttle's authority is limited to prearranged service prior to the passenger's arrival at Seattle Tacoma International Airport. Because Speedishuttle testified that it would provide personal greeters to all passengers, Shuttle Express further requests that Speedishuttle be required as a condition of their certificate to provide a personal greeter at baggage claim for each arriving reservation.

DATED: November 25, 2015.

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CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the State of Washington that on this date I caused to be served in the manner indicated a copy of the within and foregoing document upon the following persons:

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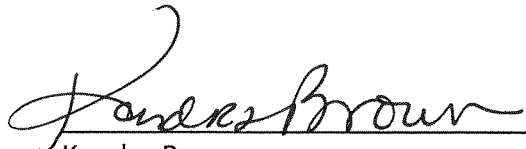
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DATED November 25, 2015.


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