

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

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,)	DOCKET TC-090637
)	
Complainant,)	ORDER 01
)	
v.)	
)	COMPLAINT AND ORDER
SAN JUAN TRANSIT, INC., C-1006)	SUSPENDING TIME SCHEDULE;
)	ALLOWING TIME SCHEDULE TO
Respondent.)	GO IN EFFECT ON A TEMPORARY
)	BASIS
.....)	

BACKGROUND

- 1 On April 28, 2009, San Juan Transit, Inc. (San Juan Transit or Company), filed with the Washington Utilities and Transportation Commission (Commission) Time Schedule 51. The stated effective date is May 15, 2009. On May 6, 2009, May 8, 2009 and May 12, 2009, the Company filed revised versions of Time Schedule 51 to correct administrative errors.
- 2 Time Schedule 51 replaces Time Schedule 50 which expired September 14, 2008. The Company provides scheduled auto transportation services between Friday Harbor and Roche Harbor on San Juan Island during the summer tourist season. In 2008, the Company transported over 15,000 passengers.
- 3 The proposed schedule would reduce from three to two the runs between Friday Harbor and Roche Harbor (including intermediate points) and eliminate service between Friday Harbor and American Camp located on the southeast part of the island. The Company cites lower ridership and higher costs as the reason for the service reduction. The Company posted a customer notice on April 29, 2009, at its facility but did not post it in its vehicles as service has not yet resumed and did not post the customer notice on its web page.
- 4 WAC 480-30-316(1) states that an auto transportation company must provide notice to its customers at least thirty days prior to the stated effective date for any proposed tariff change that would increase recurring or prepaid rates or restrict access to services (e.g., rate increase, route reduction, time schedule change).

5 Customers deserve to know about, and comment on, the proposed revised time schedule. The Commission should consider all information, including any additional customer comments on the proposed revised time schedule, in deciding whether to conduct an evidentiary hearing on the revised time schedule. San Juan Transit, therefore, has not yet demonstrated the revised schedule is reasonable.

6 The proposed revised time schedule might injuriously affect the rights and interests of the public. The Commission therefore suspends the time schedule filing. The Commission accepts the proposed revised time schedule as temporary and allows the proposed revised time schedule to become effective on May 15, 2009, on a temporary basis.

FINDINGS AND CONCLUSIONS

7 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interest transactions of public service companies, including auto transportation companies. *RCW 81.01, RCW 80.01.040, RCW 81.04, RCW 81.08, RCW 81.12, RCW 81.16 and RCW 81.68.*

8 (2) San Juan Transit is a public service company subject to Commission jurisdiction.

9 (3) This matter came before the Commission at its regularly scheduled meeting on May 14, 2009.

10 (4) The time schedule revisions San Juan Transit filed on April 29, 2009, and the revised pages filed on May 12, 2009, reflect the Company's proposed time schedule for 2009.

11 (5) San Juan Transit has not yet demonstrated that the provisions for the time schedule are reasonable. The Commission finds it reasonable to allow the proposed revised time schedule to become effective May 15, 2009, on a temporary basis.

ORDER

THE COMMISSION ORDERS:

- 12 (1) The time schedule revisions San Juan Transit, Inc., filed on April 29, 2009, May 6, 2009, May 8, 2009 and May 12, 2009, are suspended.
- 13 (2) After the effective date of this Order, San Juan Transit, Inc., is granted an exemption from WAC 480-30-316 and Time Schedule 51 is allowed to go into effect May 15, 2009, on a temporary basis, to allow customers an opportunity to comment on the proposed time schedule changes.
- 14 (3) The proposed revised time schedule San Juan Transit, Inc., filed on May 12, 2009, shall become effective on May 15, 2009, on a temporary basis, subject to change if the Commission determines that a different schedule will be reasonable.
- 15 (4) The Commission may hold hearings if needed at such times and places as required.
- 16 (5) San Juan Transit, Inc., must not change or alter the time schedule filed in this docket during the suspension period, unless the Commission authorizes the change in this docket.
- 17 (6) The Commission will institute an investigation of San Juan Transit, Inc.'s books, accounts, practices, activities, property and operations as necessary and as described above.
- 18 (7) San Juan Transit, Inc., shall pay the expenses reasonably attributable and allocable to the Commission's investigation, consistent with RCW 81.20.

DATED at Olympia, Washington, and effective May 14, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFFREY D. GOLTZ, Chairman

PATRICK J. OSHIE, Commissioner