



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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October 6, 2016

**NOTICE OF OPPORTUNITY TO RESPOND TO REQUEST FOR
SUSPENSION OF PROCEDURAL SCHEDULE
(Due by Friday, October 21, 2016)**

RE: *In re the Application of Speedishuttle Washington, LLC d/b/a Speedishuttle Seattle for a Certificate of Public Convenience and Necessity,*
Docket TC-143691
Shuttle Express, Inc. v. Speedishuttle Washington, LLC d/b/a Speedishuttle Seattle,
Docket TC-160516 (consolidated)

TO ALL PARTIES:

On October 10, 2014, Speedishuttle of Washington, LLC d/b/a Speedishuttle Seattle (Speedishuttle) filed with the Washington Utilities and Transportation Commission (Commission) an application for a certificate of public convenience and necessity to operate as an auto transportation company. On January 22, 2015, following a brief adjudicative proceeding, the Commission entered Order 02, Initial Order Overruling Objections to New Authority (Order 02). Order 02 found that Speedishuttle did not propose to offer the same service that Shuttle Express, Inc. (Shuttle Express) provides. On March 30, 2015, the Commission entered Order 04, Final Order Affirming Order 02 (Order 04).

On May 16, 2016 Shuttle Express filed a Petition for Rehearing in docket TC-143691, and a formal complaint in docket TC-160516, alleging that contrary to its representations, Speedishuttle is not providing the service it represented it would offer but instead is providing the same service Shuttle Express has the exclusive authority to provide. On August 4, 2016, the Commission entered Order 06, Initial Order Granting Petition for Rehearing (Order 06) which, among other things, consolidated dockets TC-143691 and TC-160516. In that order, the Administrative Law Judge exercised the Commission's discretion under RCW 81.04.200 to consider the Petition for Rehearing. On August 24, 2016, Speedishuttle filed a Petition for

Administrative Review of Order 06 (Petition for Review). On September 27, 2016, the Commission entered Order 08 denying the Petition for Review and clarifying the scope of this proceeding.

On October 4, 2016, Speedishuttle filed a Petition for Reconsideration of Order 08, contending that the Commission erred by concluding that the service it previously authorized Speedishuttle to provide is limited to the company's business plan. Speedishuttle requests that if the Commission does not reconsider that conclusion, the Commission suspend or stay these proceedings to enable Speedishuttle to reevaluate whether it will continue to operate in the marketplace as a regulated carrier.

Pursuant to WAC 480-07-395(4), the Commission construes Speedishuttle's most recent filing as both a petition for reconsideration under WAC 480-07-850 and a motion to suspend the procedural schedule in the consolidated dockets authorized under WAC 480-07-385. The Commission has determined that answers to the petition for reconsideration will not assist the Commission in ruling on that petition, and accordingly, the Commission does not request such answers.

Parties, however, are entitled to respond to Speedishuttle's motion to suspend the procedural schedule. Counsel for Shuttle Express notified the Commission of his unavailability over the next 10 days, and accordingly the Commission finds good cause to extend the deadline for responses to Friday, October 21, 2016.

By way of substantive guidance, the Commission observes that it recently granted Shuttle Express a conditional temporary waiver of certain rules governing auto transportation service. The purpose of the 10-month waiver was to enable that company to explore expanding its service to respond to competitive pressures while "provid[ing] the Commission and other stakeholders some time to properly address competition and harmonize the regulation of disparate participants."¹ The Commission asks the parties to address in their responses to Speedishuttle's motion whether the Commission should suspend these proceedings for the same time period for the same purpose.

THE COMMISSION GIVES NOTICE That responses to Speedishuttle's motion to suspend the procedural schedule must be filed with the Commission no later than 5:00 p.m., Friday, October 21, 2016.

GREGORY J. KOPTA
Director, Administrative Law

¹ *In re Petition of Shuttle Express, Inc.*, Docket TC-160819, Order 01 ¶ 13.