

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In Re Petition of

SHUTTLE EXPRESS, INC.,

For Exemption From WAC 480-30-213(2)  
and WAC 480-30-456, Pursuant To  
WAC 480-07-110

DOCKET \_\_\_\_\_

DECLARATION OF JIMMY  
SHERRELL IN SUPPORT OF  
PETITION FOR EXEMPTION

- 1 I, Jimy Sherrell, am the President and CEO of Petitioner Shuttle Express, Inc. (“Shuttle Express” or “Petitioner”). I make this declaration based on personal knowledge and my experience operating and managing Shuttle Express for roughly 25 years.
- 2 I have reviewed the Petition and can generally attest to the truth of the factual statements contained in the Petition, most of which were addressed in the hearing on the Staff’s complaint against Shuttle Express this August. This declaration supplements that hearing with a few additional facts.
- 3 As I testified in August, rescue has always been essential to successful operation of Shuttle Express’s share ride service and always will be. Shuttle Express is not unique. I know that SuperShuttle, which has a very similar operation to ours and service in cities such as Dallas, Denver, Los Angeles, Minneapolis, Orlando, Phoenix, and over two dozen other cities also uses limousines or town cars in its operation. I have personally ridden SuperShuttle in Phoenix and had them substitute a limousine for their van on occasion.
- 4 Since the Initial Order came out on the Staff’s complaint, I directed Shuttle Express to voluntarily comply with the cease and desist. That compliance is already harming the traveling public by materially degrading Shuttle Express’s service. It is resulting in longer

wait times at the airport due to the need to redirect vans for inbound priority. Often a passenger becomes impatient and takes a taxi to get home. This forces them to pay a much higher fare and creates bad will for Shuttle Express. We cannot expect repeat business from people who have a bad experience like that. We now have to pick up people earlier due to bad routing to get a rescue from another van. Again, this makes our service less convenient and discourages repeat business. Passengers are now getting to the airport closer to their departure time, giving them high anxiety. Sometimes we have to ask people to drive their own car and park so they do not miss their flight. This costs us a high parking fee reimbursement. And while that is some compensation, it is not delivery of the service the passenger requested. We would much rather provide their ride to the airport and we could have if rescue service were still allowed.

5 Compliance with the cease and desist during the Christmas and New Year holidays puts the traveling public at particular risk. Year-end and New Year holiday air travel volumes are particularly high. Compounding the challenges we face is winter weather, which often impacts air transportation, ground transportation, or both. Fog, snow and ice on the ground can greatly increase the need for rescue service. Many travelers who ordinarily would drive themselves to the airport will take Shuttle Express if there is snow or a threat of snow. Also, flight delays often result in unexpected demand at the airport at unexpected times.

6 From its inception, we have had to use some form of rescue service for its door-to-door service due to the unique type of operation that we are. This share ride door-to-door service we offer is not viable without rescue service. We also offer to pay airline change fees and penalties and parking for passengers. But these are poor substitutes for rescue service,

which provides the passengers with what they are expecting, which is an on-time ride to or from the airport.

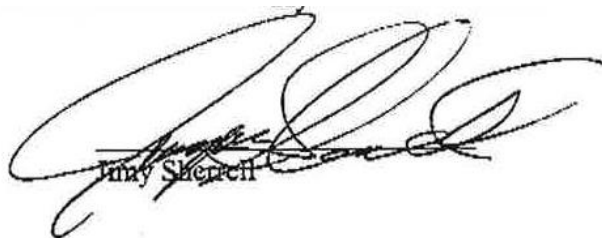
7 In contrast, although we also offer scheduled airporter service to locations such as downtown Bellevue and downtown Seattle, we do not use rescue service in our scheduled operations. Indeed, I believe we have the largest schedule operation the Commission regulates. The lack of need for rescue service in our scheduled operations is another illustration of the difference between door-to-door and traditional bus operations.

8 The independent contractors we use are all subject to background checks, inspections, drug tests, and strict contractual obligations. In addition to the DOL inspections, we do our own inspections of the contractors' vehicles. Our inspections and oversight go beyond the both what the DOL and Commission do.

9 In the case of rescue service, it is not practical for Shuttle Express to get written permission from passengers to release their names and addresses to the independent contractor. By its nature, the need for rescue service arises unexpectedly and arrangements are made at the last minute. We only allow limousine drivers to use the customer information to perform the rescue service.

**I declare under penalty of perjury under the laws of the State of Washington that the statements in this declaration are true and correct to the best of my knowledge, information, and belief.**

Executed at Renton, Washington, this 19<sup>th</sup> day of November, 2013.



Jimmy Sherrell