

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

SHUTTLE EXPRESS, INC.,
Petitioner and Complainant,
v.
SPEEDI SHUTTLE WASHINGTON, LLC
Respondent.

DOCKET NOS.
TC-143691
TC-160516

DECLARATION OF WESLEY
MARKS IN SUPPORT OF
ANSWER OF SHUTTLE
EXPRESS TO STAY REQUEST

- 1 I, Wesley Marks, am the Director of Compliance and Shared Service of Shuttle Express, Inc. (“Shuttle Express” or “Petitioner”). I make this declaration in support of the Shuttle Express answer filed herewith pursuant to the Notice Of Opportunity To Respond To Request For Suspension Of Procedural Schedule. Except as noted, this declaration is based on personal knowledge and my experience working with Shuttle Express for roughly five (5) years.
- 2 Shuttle Express submitted a request for public records to the Port of Seattle earlier this year for the number of reported and billed trips provided by all Shared Ride Van and Airporter, less than 30 passenger, operators. This request included respondent Speedishuttle’s trips from SeaTac Airport under its auto transportation certificate issued by the Commission for the year 2015. A copy of the response is attached as Exhibit A. It shows data for the months of May through December, inclusive, as well as for January 2016. Auto transportation carriers do not report the trips or passenger counts for trips to the Airport, just the outbound. We have requested data from the Port for 2016, but have not yet received it.
- 3 I compiled the data for the outbound trips of Shuttle Express for the period of January of 2012 through December of 2015 under its auto transportation certificate. Both of the Port and our data were entered into an Excel spreadsheet. A copy of the spreadsheet is attached as Exhibit B.

After entering the data, I then generated two graphs from the data in the Excel spreadsheet. The graphs are included in Exhibit B.

4 The first graph shows the combined total outbound reported trips of both Shuttle Express and Speedishuttle, month-by-month for the period covered. It can be seen that the addition of Speedishuttle's service last May did not change the long-term decline in auto transportation trips since at least 2011 in any material way. The second graph breaks out the Shuttle Express and Speedishuttle trips. And it still shows total trips, though the bars are the same prior to May of 2015, because Shuttle Express was the only carrier serving most of the county. Beginning in May of 2015, it can be seen that as Speedi Shuttle's trips increase there is a corresponding decrease in the number of Shuttle Express trips.

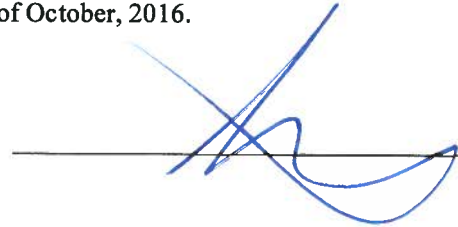
5 According to news reports, the TNCs, Uber and Lyft, did not begin operating at SeaTac airport until Spring of 2016. That has been our observation as well.

6 In December, 2014 Shuttle Express had terminated its Go Group franchise agreement. Shuttle Express did not, however, terminate its third party ticket agreement with Go and wanted to continue to accept reservations for passengers arranged by Go. But after Speedishuttle was granted its auto transportation certificate, Go refused to renew the Shuttle Express ticket agreement, which thus expired on March 31, 2015. Thereafter, it is my understanding from filings in this case that Go promptly entered into a third party ticket agreement with Speedishuttle. The effect was immediate. Shuttle Express, which had been receiving auto transportation bookings in the thousands each month from Go no longer got any new bookings from Go beginning in May 2015. In my opinion, Go's replacement of Shuttle Express with Speedishuttle as their sole carrier to book passengers for ground transportation to and from SeaTac effectively transferred a passenger base that we used to serve to Speedishuttle and led

directly to our substantial decline in passengers and Speedishuttle's substantial and rapid rise in passengers.

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 21st day of October, 2016.

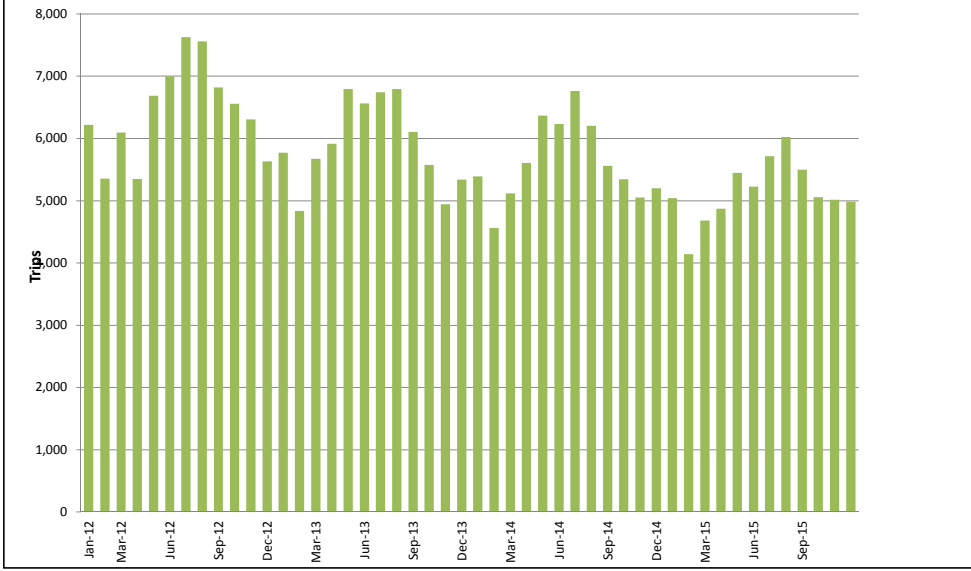


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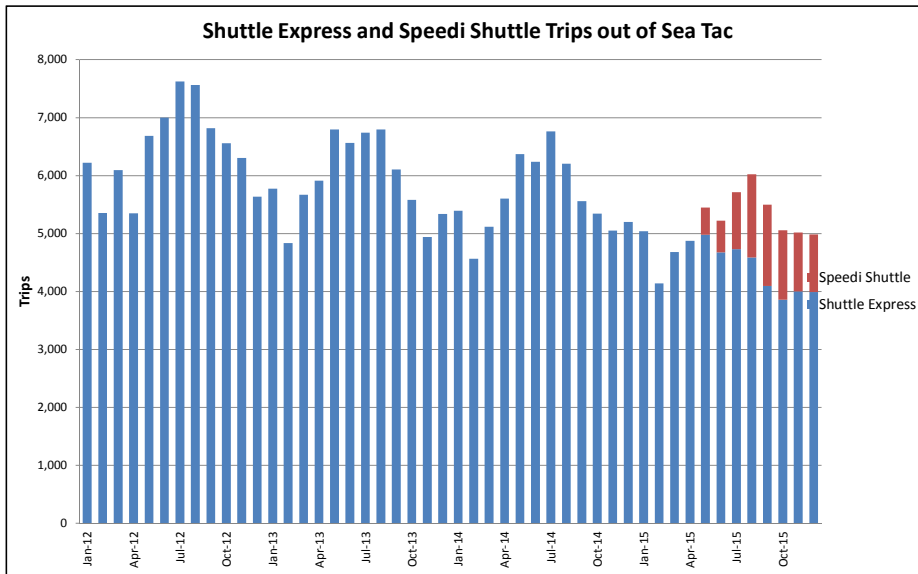
Exhibit A

Exhibit B

Combined Shuttle Express and Speedi Shuttle Trips out of Sea Tac



	SE O/B	SS O/B	TOTAL SE+SS
Jan-11			
Feb-11		5,361	0
Mar-11			0
Apr-11		6,649	0
May-11		7,770	0
Jun-11		7,994	0
Jul-11		8,447	0
Aug-11		7,799	0
Sep-11		7,272	0
Oct-11		6,754	0
Nov-11		7,255	0
Dec-11		7,021	0
Jan-12		6,218	0
Feb-12		5,351	0
Mar-12		6,093	0
Apr-12		5,348	0
May-12		6,683	0
Jun-12		6,998	0
Jul-12		7,622	0
Aug-12		7,558	0
Sep-12		6,817	0
Oct-12		6,553	0
Nov-12		6,301	0
Dec-12		5,632	0
Jan-13		5,770	0
Feb-13		4,833	0
Mar-13		5,669	0
Apr-13		5,912	0
May-13		6,793	0
Jun-13		6,559	0
Jul-13		6,738	0
Aug-13		6,793	0
Sep-13		6,101	0
Oct-13		5,576	0
Nov-13		4,939	0
Dec-13		5,336	0
Jan-14		5,388	0
Feb-14		4,560	0
Mar-14		5,115	0
Apr-14		5,603	0
May-14		6,366	0
Jun-14		6,233	0
Jul-14		6,761	0
Aug-14		6,202	0
Sep-14		5,559	0
Oct-14		5,343	0
Nov-14		5,048	0
Dec-14		5,196	0
Jan-15		5,038	0
Feb-15		4,140	0
Mar-15		4,680	0
Apr-15		4,870	0
May-15		4,974	471
Jun-15		4,674	548
Jul-15		4,727	985
Aug-15		4,582	1438
Sep-15		4,094	1404
Oct-15		3,856	1198
Nov-15		4,001	1012
Dec-15		3,987	996



	SE O/B	SS O/B	TOTAL SE+SS				
Jan-11							
Feb-11		5,361	0	5,361			
Mar-11			0	-			
Apr-11		6,649	0	6,649			
May-11		7,770	0	7,770			
Jun-11		7,994	0	7,994			
Jul-11		8,447	0	8,447			
Aug-11		7,799	0	7,799			
Sep-11		7,272	0	7,272			
Oct-11		6,754	0	6,754			
Nov-11		7,255	0	7,255			
Dec-11		7,021	0	7,021			
Jan-12		6,218	0	6,218			
Feb-12		5,351	0	5,351			
Mar-12		6,093	0	6,093			
Apr-12		5,348	0	5,348			
May-12		6,683	0	6,683			
Jun-12		6,998	0	6,998			
Jul-12		7,622	0	7,622			
Aug-12		7,558	0	7,558			
Sep-12		6,817	0	6,817			
Oct-12		6,553	0	6,553			
Nov-12		6,301	0	6,301			
Dec-12		5,632	0	5,632			
Jan-13		5,770	0	5,770			
Feb-13		4,833	0	4,833			
Mar-13		5,669	0	5,669			
Apr-13		5,912	0	5,912			
May-13		6,793	0	6,793			
Jun-13		6,559	0	6,559			
Jul-13		6,738	0	6,738			
Aug-13		6,793	0	6,793			
Sep-13		6,101	0	6,101			
Oct-13		5,576	0	5,576			
Nov-13		4,939	0	4,939			
Dec-13		5,336	0	5,336			
Jan-14		5,388	0	5,388			
Feb-14		4,560	0	4,560			
Mar-14		5,115	0	5,115			
Apr-14		5,603	0	5,603			
May-14		6,366	0	6,366			
Jun-14		6,233	0	6,233			
Jul-14		6,761	0	6,761			
Aug-14		6,202	0	6,202			
Sep-14		5,559	0	5,559			
Oct-14		5,343	0	5,343			
Nov-14		5,048	0	5,048			
Dec-14		5,196	0	5,196			
Jan-15		5,038	0	5,038			
Feb-15		4,140	0	4,140			
Mar-15		4,680	0	4,680			
Apr-15		4,870	0	4,870			
May-15		4,974	471	5,445	(921)	-17%	91%
Jun-15		4,674	548	5,222	(1,011)	-19%	90%
Jul-15		4,727	985	5,712	(1,049)	-18%	83%
Aug-15		4,582	1,438	6,020	(182)	-3%	76%
Sep-15		4,094	1,404	5,498	(61)	-1%	74%
Oct-15		3,856	1,198	5,054	(289)	-6%	76%
Nov-15		4,001	1,012	5,013	(35)	-1%	80%
Dec-15		3,987	996	4,983	(213)	-4%	80%
May - Dec 2014	46,708	-	46,708				
May - Dec 2015	34,895	8,052	42,947				
Change	(11,813)	8,052	(3,761)				
% Change	-34%		-9%				

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2016, I served a copy the foregoing document via email, with a copy via first class mail, postage prepaid, to:

<p>Julian Beattie Office of the Attorney General Utilities and Transportation Division 1400 S. Evergreen Park Dr. SW PO Box 40128 Olympia, WA 98504-0128 (360) 664-1192 Email: jbeattie@utc.wa.gov</p>	<p>David W. Wiley Williams Kastner Two Union Square 601 Union Street, Suite 4100 Seattle, WA 98101 206-233-2895 Email: dwiley@williamskastner.com</p>
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Dated at McLean, Virginia this 21st day of October, 2016.



Elisheva Simon
Legal Assistant