

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Joint Application to transfer certificate
of public convenience and necessity
C001052 from:

BEELINE TOURS LTD d/b/a SEATTLE
EXPRESS

to:

TRAXX AMERICA INC d/b/a SEATTLE
EXPRESS

DOCKET TC-250153

ORDER 02

AMENDING ORDER 01

BACKGROUND

1 On March 10, 2025, Beeline Tours LTD d/b/a Seattle Express (Beeline Tours LTD), and Traxx America Inc d/b/a Seattle Express (Traxx America) filed a joint application (Joint Application) in Docket TC-250153 with the Washington Utilities and Transportation Commission (Commission) for authority to transfer all rights under certificate of public convenience and necessity C001052 from Beeline Tours LTD to Traxx America:

PASSENGER SERVICE:

BETWEEN: Hotels in the City of Renton and the Pike Place Market in downtown Seattle.

BETWEEN: Hotels in the City of Sea-Tac, Southcenter Mall, Pike Place Market, and Cruise Terminals #66 and #91.

BETWEEN: Hotels in the City of Tukwila, Southcenter Mall, Pike Place Market, and Cruise Terminals #66 and #91.

PASSENGER SERVICE: from hotels in the cities of Tukwila or Sea-Tac to the Sea-Tac-Airport with a required intermediate stop at Cruise Terminal #66 or #91 on a single-fare ticket.

SCHEDULED PASSENGER SERVICE BETWEEN: Seattle-Tacoma International Airport and the Seattle Cruise Piers.

- 2 Certificate C001052 is held by Beeline Tours LTD and authorizes passenger transportation services as described in the certificate.
- 3 The application appeared on the March 10, 2025, application docket. Interested parties were notified of the application to give them an opportunity to express their views. The application was not protested.
- 4 On March 20, 2025, Beeline Tours LTC informed customers of the Company's intention to transfer its certificate of public convenience and necessity to Traxx America. This notice was posted in the Company's vehicles, office, and website.
- 5 On April 10, 2025, Traxx America provided additional revenue forecasts and projections that include Beeline Tours LTD's routes under certificate C001052.
- 6 On April 24, 2025, this matter came before the Commission during the regularly scheduled open meeting. Subsequently, on April 24, 2025, the Commission entered Order 01 Granting Application; Transferring Certificate C001052 (Order 01). Order 01 granted the joint request to transfer Certificate C001052 from Beeline Tours LTD to Traxx America, reissued Certificate C001052 to Traxx America, and noted that the tariff adopted as part of the Joint Application would become effective at 12:01 a.m. on the day following service of Order 01.¹
- 7 On May 8, 2025, Beeline Tours LTD filed with the Commission a Petition to Stay Effectiveness of Order 01 (Petition), requesting that the transfer of authority be conditioned upon 1) the finalization of the purchase and sale of its authority to Traxx America and 2) either Beeline Tours LTD or Traxx America submitting a compliance filing into this docket indicating that the sale has been finalized.² As part of its Petition, Beeline Tours LTD stated that on May 7, 2025, Traxx America indicated that it did not oppose a petition to stay the effectiveness Order 01 pending finalization of the sale.³ Beeline Tours LTD also stated in the Petition that on February 10, 2025, it sent an email

¹ *In re Joint Application of Beeline Tours LTD, et. al.*, Docket TC-250153, Order 01 ¶ 8-10 (April 24, 2025).

² *In re Joint Application of Beeline Tours LTD, et. al.*, Docket TC-250153, Petition to Stay Effectiveness of Order at ¶ 8 (May 8, 2025).

³ *In re Joint Application of Beeline Tours LTD, et. al.*, Docket TC-250153, Petition to Stay Effectiveness of Order at ¶ 5 (May 8, 2025).

to Commission staff (Staff) seeking to transfer its authority “subject to the condition that the purchase and sale of its authority by Traxx is finalized.”⁴

DISCUSSION AND DECISION

8 In Order 01, the Commission found that Traxx America is fit, willing, and able to furnish the transferred service, the transfer of rights to Traxx America would not be detrimental to the public interest, and the transferred service continues to be necessary and convenient to the public.⁵

9 Order 01 did not include a provision that conditioned the transfer of Certificate C001052 upon the finalization of the purchase and sale of authority from Beeline Tours LTD to Traxx America.

10 Although the Petition requests a stay of Order 01, we review the Petition as a request for an amendment or correction to Order 01 under Washington Administrative Code (WAC) 480-07-875 rather than a petition for a stay pursuant to WAC 480-07-860. Although Beeline Tours LTD has titled the relief sought as a stay in its Petition, Beeline Tours LTD cites WAC 480-07-875(1) as the basis for its requested relief.⁶ The Commission intends to grant Beeline Tours LTD the relief sought in its Petition. However, under WAC 480-07-875(1), Traxx America will be provided 20 days from the service date of this Order to respond in writing.

11 We find that Beeline Tours LTD’s requests in its Petition are not detrimental to the public interest, will not interrupt services to the public, and are within the Commission’s jurisdiction under WAC 480-07-875(1) to grant. We find that it would be in the public interest to grant the relief sought in the Petition 30 days from the service date of this Order if Traxx America does not provide a timely response to this Order.

⁴ *In re Joint Application of Beeline Tours LTD, et. al.*, Docket TC-250153, Petition to Stay Effectiveness of Order at ¶ 3 (May 8, 2025).

⁵ *In re Joint Application of Beeline Tours LTD, et. al.*, Docket TC-250153, Order 01 at ¶¶ 6-7 (April 24, 2025).

⁶ *In re Joint Application of Beeline Tours LTD, et. al.*, Docket TC-250153, Petition to Stay Effectiveness of Order at ¶ 7 (May 8, 2025).

FINDINGS AND CONCLUSIONS

- 12 (1) The Commission is an agency of the state of Washington vested by statute with the authority to regulate the rates, regulations, and practices of public service companies, including auto transportation companies.
- 13 (2) Beeline Tours LTD d/b/a Seattle Express is an auto transportation company subject to Commission jurisdiction.
- 14 (3) Traxx America Inc d/b/a Seattle Express is a charter party and excursion carrier subject to Commission jurisdiction.
- 15 (4) Beeline Tours LTD requested review of Order 01 in this docket within the 14-day timeframe authorized under WAC 480-07-904(4).
- 16 (5) The Petition sets forth sufficient grounds for the Commission to grant the relief requested by Beeline Tours LTD. Good and sufficient cause exists for the Commission to order the relief requested in the Petition because both Beeline Tours LTD and Traxx America request that the transfer be conditioned upon the finalization of the purchase and sale of authority from Beeline Tours LTD to Traxx America. Further, the requested relief is not detrimental to public interest, and there is no indication that the amendment of Order 01 will disrupt service.
- 17 (6) Under WAC 480-07-875(1), the Commission has authority to amend Order 01 to condition the transfer of authority from Beeline Tours LTD to Traxx America on the finalization of the sale of Beeline Tours LTD's authority and a compliance filing in this docket indicating finalization of the purchase and sale of authority between Beeline Tours LTD and Traxx America.
- 18 (7) Pursuant to WAC 480-07-875(1), Traxx America will be given 20 days from the service date of this Order to provide written response to the Petition. If Traxx America does not timely respond within 20 days, then effective 30 days from the service date of this Order, the provisions in paragraphs 8-10 in Order 01 in this Docket will be revised to become effective 1) after the purchase and sale of authority from Beeline Tours LTD d/b/a Seattle Express to Traxx America Inc d/b/a Seattle Express and 2) after either party has filed a compliance filing in this docket indicating finalization of the purchase and sale.

ORDER

THE COMMISSION ORDERS:

- 19 (1) Traxx America Inc d/b/a Seattle Express will have 20 days from the service date of this Order to respond to the Petition to Stay Effectiveness of Order filed by Beeline Tours LTD d/b/a Seattle Express on May 8, 2025. If Traxx America Inc d/b/a Seattle Express does not file a timely response in this docket, then effective 30 days from the service date of this Order, the provisions in paragraphs 8-10 in Order 01 in this docket are amended to become effective 1) after the purchase and sale of authority from Beeline Tours LTD d/b/a Seattle Express to Traxx America Inc d/b/a Seattle Express and 2) after either party has filed a compliance filing in this Docket indicating finalization of the purchase and sale.

DATED at Lacey, Washington, and effective June 5, 2025.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Jessica Kruszewski
JESSICA KRUSZEWSKI
Administrative Law Judge

NOTICE TO PARTIES

This is an initial order. The action proposed in this initial order is not yet effective. If you disagree with this initial order and want the Commission to consider your comments, you must take specific action within the time limits outlined below. If you agree with this initial order, and you would like the order to become final before the time limits expire, you may send a letter to the Commission, waiving your right to petition for administrative review.

WAC 480-07-825(2)(a) provides that any party to this proceeding has 20 days after the entry of this initial order to file a petition for administrative review (Petition). Section (2)(b) of the rule identifies what you must include in any Petition as well as other requirements for a Petition. WAC 480-07-825(2)(c) states that any party may file an answer (Answer) to a Petition within 10 days after service of the petition.

WAC 480-07-830 provides that before the Commission enters a final order any party may file a petition to reopen a contested proceeding to permit receipt of evidence essential to a decision, but unavailable and not reasonably discoverable at the time of hearing, or for other good and sufficient cause. The Commission will not accept answers to a petition to reopen unless the Commission requests answers by written notice.

RCW 80.01.060(3) provides that an initial order will become final without further Commission action if no party seeks administrative review of the initial order and if the Commission fails to exercise administrative review on its own motion.

Any Petition or Response must be electronically filed through the Commission's web portal as required by WAC 480-07-140(5).