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BEFORE THE WASHINGTON STATE UTILITIES
AND TRANSPORTATION COMMISSION

In the Matter of the Application of

DOCKET TC-240717

EAGLE TOWNCAR SERVICE, LLC.

MOTION TO STRIKE OBJECTION AND
TO GRANT TEMPORARY
APPLICATION

For Authority to Operate as an Auto
Transportation Company in the State of
Washington

**EXPEDITED RULING REQUESTED
PRIOR TO NOVEMBER 26, 2024**

1. Eagle Towncar Service, LLC (“Eagle Towncar” or “Company”) files this Motion to Strike Objection and to Grant Temporary Application (Motion). Eagle Towncar respectfully requests an expedited ruling from the Washington Utilities and Transportation Commission (Commission) on this Motion given the pressing importance of these issues to this small business and the unsubstantiated nature of the objection to the Company’s temporary application.

I. BACKGROUND

2. The Commission has already granted Eagle Towncar authority to operate as a charter and excursion bus company under permit CH070852. There are no previous penalties or enforcement actions against the Company.

1 3. On September 23, 2024, Eagle Towncar filed an application for temporary authority as
2 an auto transportation company, proposing scheduled service between Bellevue-area hotels and
3 SeaTac. This was later docketed under TC-240717. As shown on the temporary application,
4 Eagle Towncar has acquired three “sprinter” vans to provide auto transportation service.

5 4. On September 25, 2024, the Commission issued a Notice of Temporary Auto
6 Transportation Application and, later that same day, a Revised Notice of Temporary Auto
7 Transportation Application.

8 5. On October 15, 2024, the last day for objections under rule, Pacific Northwest
9 Transportation Services d/b/a Premier Airport Shuttle/Capital Aeroporter (PNTS) filed an
10 objection to the Company’s temporary application. Pacific Northwest Transportation Services
11 attached its own certificate C-862.

12 6. Pacific Northwest Transportation Services’ certificate grants authority for “DOOR TO
13 DOOR PASSENGER SERVICE” between the SeaTac Airport and points within King, Pierce,
14 and other nearby counties.

15 7. On November 13, 2024, Eagle Towncar filed an application for permanent authority
16 reflecting the authority previously sought in the temporary certificate application as an auto
17 transportation company, which has now been docketed under TC-240856.

18 **II. ARGUMENT**

19 8. Eagle Towncar is a small transportation company and a minority-owned business
20 enterprise that is eager to provide scheduled passenger service between five hotels in Bellevue,
21 Washington and SeaTac. Eagle Towncar has acquired three “sprinter” vans for this service, and
22 it has already established relationships with Bellevue-area hotels requesting this service.

23 9. Unfortunately, Eagle Towncar’s temporary application has been stymied by an
24 improper objection filed by PNTS, which does not provide the “same service” at issue and
25 therefore does not have standing to levy a proper objection. As a result, Eagle Towncar has

1 been prevented from beginning operations for approximately two months, due to this improper
2 objection to its temporary application, which would normally be granted on an *ex parte* basis
3 by Staff. Eagle Towncar thus now requests that the Commission strike the improper objection
4 to its temporary application, which is not filed by a party with overlapping authority who
5 actually has standing to bring a proper objection, and that the Commission issue it a temporary
6 certificate and provide other relief as set forth below.

7 **A. The Commission should strike the objection to Eagle Towncar’s temporary**
8 **application because PNTS does not provide the “same service” proposed by Eagle**
9 **Towncar.**

10 10. The Commission should first strike PNTS’s objection.

11 11. Pursuant to WAC 480-30-116(2), “An existing auto transportation company may object
12 to an application for new authority or an extension of authority published in the application
13 docket only if the company holds a certificate that authorizes the same service and the
14 company provides the same service published in the application docket.” (emphasis added).

15 The objection must further explain why the objector believes they are “providing the same
16 service to the satisfaction of the commission.” WAC 480-30-116(2)(a)(iv).

17 12. WAC 480-30-140 explains the standards the Commission will apply when evaluating
18 auto transportation applications. As relevant here, WAC 480-30-140(2)(g) specifically
19 provides that “Door-to-door service and scheduled service in the same territory will not be
20 considered the same service.” (emphasis added).

21 13. Although PNTS filed an objection to Eagle Towncar’s temporary application, it is clear
22 from the face of PNTS’s certificate C-862 that PNTS does not provide the “same service”
23 proposed by Eagle Towncar. PNTS only has authority for “DOOR TO DOOR” passenger
24 service in the affected territory. Pursuant to WAC 480-30-140(2)(g), this is not the “same
25 service” as the scheduled service proposed by Eagle Towncar. PNTS effectively does not have

1 standing to object to Eagle Towncar’s application, and PNTS’s objection should be stricken as
2 irrelevant and improper.

3 **B. The Commission should grant Eagle Towncar’s temporary application, directing**
4 **Staff to issue a temporary certificate on an expedited basis.**

5 14. The Commission should grant Eagle Towncar’s temporary application given the lack of
6 any objection from Staff to the Company’s fitness and the lack of any proper objection by a an
7 existing company with authority to provide the “same service.”

8 15. Pursuant to WAC 480-30-126(5), if no existing company files an objection, the
9 Commission should grant an application for auto transportation authority if the applicant
10 demonstrates (a) a need for service by providing statements from members of the public, (b)
11 the applicant’s financial fitness to carry out the proposed operations, and (c) that the applicant
12 is willing and able to comply with Commission laws and rules.

13 16. Because PNTS does not provide the “same service” proposed by Eagle Towncar, PNTS
14 does not have standing to bring an objection pursuant to WAC 480-30-116(2). PNTS’s
15 improper, unfounded objection should not result in any further delay in the handling of Eagle
16 Towncar’s temporary application.

17 17. Instead, the proper issue before the Commission is whether Eagle Towncar meets the
18 remaining requirements under WAC 480-30-126(5) for at least a grant of temporary authority
19 pursuant to criteria such as Eagle Towncar’s financial fitness and the need for service. Eagle
20 Towncar plainly satisfies all three of the requirements listed in this rule. Eagle Towncar has a
21 history of successful operations as a charter and excursion service carrier. Eagle Towncar has
22 already submitted statements from four major hotels in Bellevue attesting to the need for
23 service, and the Company has demonstrated its financial fitness. There is no genuine dispute as
24 to the Company’s fitness at this time.
25

1 18. Eagle Towncar has conferred with Staff, which has reviewed the Company's
2 application, proposed tariff, and other submissions. The Company was not able to obtain
3 Staff's formal position on this Motion prior to filing. The Company is committed to working
4 with Staff to support its review of the temporary and permanent applications, but the Company
5 is not aware at this time of any objections from Staff to at least a temporary grant of authority.
6 The Commission should therefore issue an order granting Eagle Towncar's temporary
7 application for auto transportation authority and directing Staff to issue the Company a
8 temporary certificate on an expedited basis.

9 III. CONCLUSION

10 19. Eagle Towncar requests that the Commission grant it relief from the improper objection
11 by PNTS and allow it to being operations as an auto transportation company under a temporary
12 grant of authority. Eagle Towncar therefore requests that the Commission: (1) strike PNTS's
13 objection and (2) grant Eagle Towncar's temporary application and direct Staff to issue a
14 temporary certificate to Eagle Towncar by **November 26, 2024**.

15 20. Eagle Towncar respectfully requests that the Commission enter an order on this motion
16 on an **expedited basis**, preferably on or before **November 22, 2024**, immediately following the
17 five business day deadline for a response to a non-dispositive motion such as this one. Eagle
18 Towncar's business operations have already been adversely impacted by PNTS's objection and
19 this procedural hiatus, and there is no valid reason why Eagle Towncar should not begin
20 providing auto transportation services at least under a temporary grant of authority.

1 DATED this 14th day of November, 2024.

2
3 /s/ Michael S. Howard
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