

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

PACIFIC NORTHWEST
TRANSPORTATION SERVICES, INC.,
d/b/a CAPITAL AEROPORTER,
AIRPORT SHUTTLE,

Petitioner,

Seeking Exemption from the Provisions of
WAC 480-30-326 requiring 30 days' notice to
customers.

DOCKET TC-200276

ORDER 01

GRANTING EXEMPTION FROM
RULE; ALLOWING TARIFF
REVISIONS TO BECOME
EFFECTIVE BY OPERATION OF
LAW

BACKGROUND

- 1 On March 25, 2020, Pacific Northwest Transportation Services, Inc., d/b/a Capital Aeroporter, Airport Shuttle (Capital Aeroporter or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting Less than Statutory Notice (LSN) handling per WAC 480-30-326 for revisions to its Time Schedule 72. The proposed revisions would reduce the number of daily runs the Company currently operates. The Company provides scheduled auto transportation service from points in Thurston and Pierce Counties to and from SeaTac International airport.
- 2 WAC 480-30-316 requires auto transportation companies to provide 30 calendar days' notice to customers of any tariff or time schedule changes. The Company, however, requests a March 26, 2020, effective date to allow Capital Aeroporter to immediately respond to the rapidly changing conditions its customers are facing due to the COVID-19 pandemic.
- 3 In its Petition, Capital Aeroporter asserts that travel restrictions enacted by federal and state governments due to the outbreak of COVID-19 have drastically reduced demand for travel to airports. The Company proposes to temporarily suspend shared ride services until the restrictions are lifted and economic conditions warrant resumption of service. The Company also states that, due to drastically decreased ridership in a short period of time, it must cut back its operating expenses in order to continue to provide at least some service to the public.

4 Commission staff (Staff) reviewed the request and agrees with the Company that it
is in the public interest to reduce costs by suspending service, ensuring the
Company is financially fit to provide service in the future. Therefore, Staff
recommends granting Capital Aeroporter's Petition for LSN and allowing the
revisions to Time Schedule No. 72 to become effective April 11, 2020.

DISCUSSION

5 We agree with Staff's recommendation and grant Capital Aeroporter's Petition, thereby
allowing the tariff revisions filed on March 25, 2020, to become effective April 11, 2020.
Pursuant to RCW 80.01.040 and WAC 480-30-326, the Commission may grant LSN
handling in the event of an emergency. The Governor's Proclamation 20-05 placed
Washington in a state of emergency due to the COVID-19 pandemic, and the more recent
Proclamation 20-25 restricts travel except for limited purposes.

6 Here, we find that the Company is making a good faith effort to provide service in
accordance with its certificate of convenience and necessity. We also recognize the
financial impacts the Company is facing due to severely limited travel during the
COVID-19 outbreak. Accordingly, we conclude that allowing the Company to respond to
rapidly changing economic conditions by granting its request for LSN handling is
consistent with the public interest, the purposes underlying regulation, and applicable
statutes.

FINDINGS AND CONCLUSIONS

7 (1) The Commission is an agency of the State of Washington vested by statute with
the authority to regulate the rates, rules, regulations, practices, accounts and
affiliated interests of public service companies, including auto transportation
companies.

8 (2) Capital Aeroporter is an auto transportation company and a public service
company subject to Commission jurisdiction.

9 (3) Capital Aeroporter is subject to WAC 480-30-316, which requires auto
transportation companies to provide 30 calendar days' notice to customers of any
tariff or time schedule changes.

10 (4) Pursuant to RCW 80.01.040 and WAC 480-30-326, the Commission may grant
Less than Statutory Notice in the event of an emergency.

11 (5) This matter came before the Commission at its regularly scheduled meeting on April 10, 2020.

12 (6) Based on the COVID-19 pandemic and resulting state of emergency, the Commission finds good cause to allow the tariff revisions filed by Capital Aeroporter on March 25, 2020, to become effective with Less than Statutory Notice on April 10, 2020.

ORDER

THE COMMISSION ORDERS:

13 (1) The Commission grants Pacific Northwest Transportation Services, Inc., d/b/a Capital Aeroporter, Airport Shuttle's Petition for Less than Statutory Notice of the tariff revisions filed on March 25, 2020.

14 (2) The tariff revisions Pacific Northwest Transportation Services, Inc., d/b/a Capital Aeroporter, Airport Shuttle, filed on March 25, 2020, will become effective on April 11, 2020.

15 (3) The Commission retains jurisdiction over the subject matter and Pacific Northwest Transportation Services, Inc., d/b/a Capital Aeroporter, Airport Shuttle, to effectuate the provisions of this Order.

16 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective April 10, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary