BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of) DOCKET TC-080772
SEATTLE PORTLAND EXPRESS CO.,)) ORDER 01
Petitioner,)
Seeking Exemption from the provisions of WAC 480-30-071(1) Relating to Filing of Annual Reports by Auto Transportation Companies) ORDER GRANTING EXEMPTION) FROM RULE; GRANTING) COMPANY ADDITIONAL TIME TO) FILE ANNUAL REPORT)

BACKGROUND

- I On April 30, 2008, Seattle Portland Express Co., (Seattle Portland Express or Company), filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an extension of time to file its 2007 annual report as required by WAC 480-30-071(1). The Company states that its accountant has not yet completed the 2007 year-end audit and, therefore, the Company lacks the financial information needed to complete the annual report.
- 2 Commission Staff reviewed the request and recommended granting Seattle Portland Express' request for exemption, subject to the following condition: that Seattle Portland Express must file its 2007 annual report no later than May 30, 2008.

FINDINGS AND CONCLUSIONS

- 3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interest transactions of public service companies, including auto transportation companies. RCW 81.01, RCW 80.01.040, RCW 81.04, RCW 81.08, RCW 81.12, RCW 81.16 and RCW 81.68.
- 4 (2) Seattle Portland Express is an auto transportation company and a public service company subject to Commission jurisdiction.

- 5 (3) Seattle Portland Express is subject to WAC 480-30-071(1), which requires auto transportation companies to file an annual report by May 1 of each year.
- 6 (4) Under WAC 480-30-071(1)(c), the Commission may grant an extension of time allowing the Company to file its annual report after the May 1 due date if the Commission receives a request for extension before May 1.
- 7 (5) This matter came before the Commission at its regularly scheduled meeting on May 15, 2008
- 8 (6) After reviewing Seattle Portland Express' petition filed in Docket TC-080772 on April 30, 2008, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

O R D E R

THE COMMISSION ORDERS:

- 9 (1) The Commission grants the request of Seattle Portland Express Co. for an extension of time to file its 2007 annual report until May 30, 2008.
- (2) Failure by Seattle Portland Express Co. to file its 2007 annual report by May 30, 2008, may result in the Commission invoking RCW 81.04.405, which allows the Commission to assess penalties for violations of statute, rule, and Commission orders.
- (3) The Commission retains jurisdiction over the subject matter and Seattle Portland
 Express Co. to effectuate the provisions of this Order.

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

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DATED at Olympia, Washington, and effective May 15, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary