

January 14, 2025

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VIA EMAIL AND FIRST CLASS MAIL

Jeff Killip, Executive Director and Secretary
Washington Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503

Re: Unfair and Destructive Competitive Practices of Pacific Northwest Transportation Services, Inc.

Dear Mr. Killip:

I write to you on behalf of Eagle Towncar Service LLC (“Eagle Towncar”) to raise serious concerns regarding the unfair and destructive competitive practices of Pacific Northwest Transportation Services, Inc. (“PNTS”).

Eagle Towncar is a small business and a new entrant into the regulated auto-transportation industry. Company owner Mintesinot Selewondim has established strong relationships with five major Bellevue area hotels, who submitted statements supporting his company’s proposed scheduled airporter shuttle service to SeaTac International Airport. Mr. Selewondim has invested in three Mercedes “sprinter” vans to provide this service, and he has invested approximately \$10,000 to “wrap” each sprinter van with graphics indicating “Bellevue Airport Shuttle,” which is “powered by Eagle Towncar Service.” See Eagle Towncar, *Eagle Shuttle Service*, available at <https://eagleshuttleservice.com/bellevue-airport-shuttle/> (last accessed Jan. 12, 2025).

On September 23, 2024, Eagle Towncar applied for temporary authority from the Commission for this new, proposed scheduled airporter service.

PNTS is an established auto transportation company that was *not* providing this same, scheduled service on this same route. After Eagle Towncar applied for temporary authority, PNTS applied for an extension of its existing certificate in Docket TC-240898 to provide (1) *essentially the same scheduled service* as Eagle Towncar with two additional hotels added to the same route proposed by Eagle Towncar and (2) widespread authority for scheduled airporter service throughout the east side of Lake Washington. PNTS also objected to Eagle Towncar’s application, even though PNTS was not providing the same service.

On November 27, 2024, the Commission granted Eagle Towncar authority under temporary certificate TAC071487, and the Commission properly struck PNTS’s objection because PNTS was not providing

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the “same service.” See generally Docket TC-240717, Orders 01 (entered Nov. 27, 2017). See also, *id.* Order 02 (entered Nov. 27, 2017).

The Commission is still considering Eagle Towncar’s permanent application in Docket TC-240856. On January 10, 2025, Eagle Towncar submitted a trade name application filing requesting that the Commission add its trade name “Bellevue Airport Shuttle” to its temporary certificate and any permanent certificate granted by the Commission.

Eagle Towncar has become aware, however, that PNTS has already sought approval from the Washington Department of Revenue (“DOR”) for *the same trade name already used by Eagle Towncar* as well as other, similar trade names that Eagle Towncar may reasonably wish to use in the future. PNTS owner Jonathan Fricke provided evidence of this request to DOR in his Declaration filed in Docket TC-240717. See Docket TC-240717, Declaration of J. Fricke, available at <https://apiproxy.utc.wa.gov/cases/GetDocument?docID=57&year=2024&docketNumber=240717> (filed Nov. 21, 2024).

At page 47 of this Declaration, Mr. Fricke submits a record from DOR showing that very recently, on November 8, 2024, PNTS added the trade names “Bellevue Airport Shuttle” to its business license with DOR. PNTS also added several other, similar trade names such as “Bellevue Sea Airport Shuttle” and similar names for nearby locations, such as “Kirkland Airport Shuttle.”

Eagle Towncar strongly objects to PNTS’s infringement on the trade name “Bellevue Airport Shuttle” and PNTS’s preemptive request for other, similar trade names. PNTS sought these trade names from DOR approximately two weeks after Eagle Towncar filed its temporary application. Eagle Towncar has already invested approximately \$30,000 to “wrap” three Mercedes sprinter vans in graphics using the “Bellevue Airport Shuttle” trade name alongside its company name “Eagle Towncar Service.”

Pursuant to WAC 480-30-086(2)(c), “A company may not operate under a company name or trade name that is similar to that of another company if use of the similar name *misleads the public* or results in *unfair or destructive competitive practices.*” (emphases added). PNTS’s actions clearly meet these standards. PNTS seeking the same and similar trade names shows PNTS’s intent to both mislead the public and to unjustly harm Eagle Towncar, which has already invested in this trade name. The Commission should order PNTS to cease and desist from using this trade name. If necessary, the Commission should issue a complaint against PNTS for violating WAC 480-30-086(2)(c).

PNTS’s trade name infringement is part and parcel of its unfounded objection to Eagle Towncar’s application, its request for essentially the same route, and its request for broad authority for scheduled service throughout the east side. PNTS is not merely seeking to piggyback on Eagle Towncar’s

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proposed route, but to foreclose future expansion by Eagle Towncar and to undermine Eagle Towncar's investment in its own trade name, just as Mr. Selewondim is beginning to operate under his temporary authority.

The Commission properly regulates the trade names of auto transportation businesses to prevent confusing advertising practices and to prevent harmful anticompetitive behaviors. PNTS's trade name infringement would clearly mislead the public and seek to unjustly waste Mr. Selewondim's investment in this trade name. Eagle Towncar requests that the Commission enforce the provisions of WAC 480-30-086(2)(c), to prevent the need for a formal complaint filed with the Commission or superior court.

Yours truly,



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cc: Mintesinot Selewondim
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