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To: UTC DL Records Center

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Subject: UTC Auto Transportation Company Rulemaking - Docket TC 121 - Second Draft of Rules - Comments

To All Concerned

The purpose of these rules should be to facilitate in a more efficient, economical and safe manner to provide auto transportation services to meet the greater public and traveling public needs in a sufficient, stable and sustainable manner. To this end we believe these rules need to set a framework that is lasting and will transcend changes in needs and people—traveling public, service providers, Commissioners and staff—over time. To this end, we believe the following changes need due consideration:

- 1) POLICY STATEMENT. (Re: First Draft Comments) A clear policy should be set out at the beginning of the rules. The rules then set out the implementation of the policy.
- 2) WAC 480-30-YYY. Long term sustainability will require future maximums to be more than five percent increases to prevent restrictive ceilings which would not allow timely response to sudden or unforeseen expenses, including:
 - a) Fuel--\$1 increase would require an average fare increase of \$3 or approximately 9% total expense increase
 - b) Medical insurance benefit is estimated to increase payroll costs \$1/hr/yr.
 - c) Minimum wage cost push on payroll—average 3%/year(CPI) – affects all wages
 - d) Economic recovery requires 15-20% wage increase to be competitive for employees
 - e) Vans-useful life is dropping from 5 to 3,5 yr-30 % due to engine longevity reduction related to emissions reduction impacts
 - f) Inflation will probably exceed 5% per annum itself when it kicks in
 - g) Taxes & Tolls are expected to dramatically increase In the next several years based on needs and that our tax structure based on “goods” is not sustainable and will require regular increases if not restructured according to our State Treasurer
 - h) OTHER STATES allow ANNUAL increase limits of 10%--California & Hawaii, 25%--Illinois
 - i) COMPETITIVE CARRIER. Initially when Centralia Sea-Tac Airport Express(Black Hills Transportation) was granted a Certificate in direct “door to door” competition with Capital Aeroporter, revenue reductions of 10% would require a 10% fare increase to maintain the same level of service
- 3) Definitions. The following need revision:
 - a) “Same service” needs to be defined to be “substantially the same service, similar or comparable” so that it is not interpreted as “exactly” the same!
 - b) WAC 480-30XXX(1) “Public Convenience and Necessity” needs a non adversity proviso(see notes on draft)
 - c) WAC-480-30-096(3)(a)(i)&(ii)
 - add “postal ZIP Codes” to geographic areas
 - add “(s) to point. Location and passenger(see notes on draft)

--insert "Route" between "Scheduled...Service" or otherwise more clearly label distinction between "route" and "door to door" services There are both scheduled and non-scheduled "door to door services

- 4) WAC 480-30-ZZZ(1)(e) Comparison of "flex" fares with "standard" tariff rules? For what purpose? Apples v. oranges? Should be no comparison!

See also pdf of draft(2) Jim F .

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