

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	)	DOCKET TC-100988
	)	
HECKMAN MOTORS, INC., C-992	)	ORDER 01
	)	
Petitioner,	)	
	)	
Seeking Exemption from the	)	
Provisions of WAC 480-30-316	)	
Relating to Customer Notice	)	
Requirements for Tariff and Time	)	ORDER GRANTING
Schedule Changes	)	EXEMPTION FROM RULE
.....	)	

**BACKGROUND**

- 1     On June 9, 2010, Heckman Motors, Inc., (Olympic Bus Lines or Company) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its Time Schedule 11 for service between Port Angeles and SeaTac Airport with an effective date of June 20, 2010.
- 2     WAC 480-30-316 requires passenger transportation companies to provide notice to its customers at least 30 days prior to the stated effective date for any proposed tariff change that would increase recurring or prepaid rates or restrict access to services, including time schedule changes.
- 3     Olympic Bus Lines stated that it could not provide the required notice period because the change to its time schedule was caused by a schedule change for the Kingston Ferry, operated by Washington State Ferries (WSF). The Company stated:
 

“Olympic Bus Lines was notified by the Washington State Ferries on June 8, 2010 that the summer ferry sailing schedule would be changing effective June 20, 2010. The Washington State Department of Transportation recommended against the changes during the public comment period because of the effects the changes would have with Olympic Bus Lines connections, however, WSF ignored the recommendation and made the changes with less than two weeks notice.”
- 4     After reviewing Olympic Bus Line’s request for a change to Time Schedule 11 and together with the fact that the Company received less than two weeks notice of the change in ferry schedule, Commission Staff recommends the Commission allow revised

Time Schedule 11 to become effective by operation of law, and on its own motion, grant an exemption from the customer notice requirements specified in WAC 480-30-316.

### FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation 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 carriers. *RCW 80.01.040, RCW 81.01, RCW 81.04, RCW 81.68 and RCW 81.80.*
- 6 (2) Olympic Bus Lines is engaged in the business of auto transportation services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 7 (3) Olympic Bus Lines is subject to WAC 480-30-316, which requires passenger transportation companies to provide notice to its customers at least 30 days prior to the stated effective date for any proposed tariff change that would increase recurring or prepaid rates or restrict access to services, including time schedule changes.
- 8 (4) Under WAC 480-30-046, the Commission may grant an exemption from the provisions of any rule in WAC 480-30, if consistent with the public interest, the purposes underlying regulation and applicable statutes. *See also WAC 480-07-110.*
- 9 (5) This matter came before the Commission at its regularly scheduled meeting on June 24, 2010.
- 10 (6) After review of the time schedule change filed in Docket TC-100988 by Olympic Bus Lines on June 9, 2010, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.

**ORDER**

**THE COMMISSION ORDERS:**

- 11 (1) After the effective date of this Order, Heckman Motors, Inc., is granted an exemption from the customer notice requirements set forth in WAC 480-30-316 for the time schedule changes filed on June 9, 2010, in Docket TC-100988.
- 12 (2) The Commission retains jurisdiction over the subject matter and Heckman Motors, Inc., to effectuate the provisions of this Order.

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

DATED at Olympia, Washington, and effective June 24, 2010.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary