

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

In the Matter of the Application for an	)	DOCKET TC-111928
Auto Transportation Authority by)	
	)	ORDER 01
HOPESOURCE)	
)	
	)	ORDER GRANTING
	)	FORBEARANCE FROM RATE
Requesting forbearance from rate and	)	AND SERVICE REGULATION AS
service regulation as an auto	)	AN AUTO TRANSPORTATION
transportation company under RCW	)	COMPANY AND REQUIRING
81.68 and requiring application to	)	THE COMPANY TO FILE AN
provide transportation under RCW	)	APPLICATION FOR A CHARTER
81.70.	)	PERMIT
.....)	

BACKGROUND

- 1 On November 7, 2011, HopeSource filed an application for an auto transportation authority in Docket TC-111928. HopeSource has operated as a Private, Non-profit Transportation Provider (RCW 81.66) under Commission Certificate No. C-905 issued to HopeSource in Docket TN-061083 on April 20, 2007.
- 2 Included in HopeSource’s application, is a petition seeking forbearance from rate and service regulation as an auto transportation company citing the criteria specified in RCW 81.68.015, sub-paragraph five.
- 3 HopeSource is proposing to provide auto transportation services for low-income, seniors, and disabled citizens as well as students of rural Kittitas County to access jobs, educational opportunities, medical facilities and recreation. The service will be almost entirely funded through grants from the Washington Department of Transportation, Central Washington University and Yakima Transit. HopeSource will not charge anyone for its service. However, HopeSource will solicit donations from passengers on its Yakima to Ellensburg Commuter route.
- 4 RCW 81.68.015 allows the Commission to find, with or without a hearing, that a company’s service is provided pursuant to a contract with a state agency, or funded by a grant issued by the department of transportation, and that exemption from RCW 81.68 is otherwise in the public interest.

5 Commission Staff's analysis determined that HopeSource's proposed service meets the
criteria for forbearance specified above. Staff recommends the Commission grant the
Company relief from rate and service regulation as an auto transportation company. The
Company would begin service on November 27, 2011, upon approval of its application
and issuance of a charter certificate pursuant to RCW 81.70.

FINDINGS AND CONCLUSIONS

- 6 (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, and transfers of public service
companies, including auto transportation companies. *RCW 80.01.040; RCW
81.01; RCW 81.04; RCW 81.28; RCW 81.68 and RCW 81.70.*
- 7 (2) The service HopeSource proposes falls within the scope of an auto transportation
company and a public service company subject to Commission jurisdiction.
- 8 (3) This matter was brought before the Commission at its regularly scheduled
meeting on November 23, 2011.
- 9 (4) Staff recommends that the Commission grant HopeSource's petition to forbear
from rate and service regulation as an auto transportation company under RCW
81.68 and allow HopeSource to provide transportation services as a charter or
excursion carrier under RCW 81.70.
- 10 (5) After review and analysis of the application filed in Docket TC-111928, and
giving due consideration to all facts presented by HopeSource and the criteria
codified in RCW 81.68.015, the Commission finds that the service proposed by
HopeSource would be funded by a grant issued by the department of
transportation, and that the exemption from regulation is otherwise in the public
interest.
- 11 (6) Granting HopeSource forbearance from rate and service regulation, pursuant to
RCW 81.68.015, is consistent with the public interest and should be granted.
Accordingly, HopeSource must obtain a charter certificate under RCW 81.70

before commencing operation as an auto transportation provider in Kittitas County.

O R D E R

THE COMMISSION ORDERS:

- 12 (1) The Commission forbears from rate and service regulation of HopeSource, under
RCW 81.68.
- 13 (2) HopeSource must obtain a charter certificate under RCW 81.70 before
commencing operations.
- 14 (3) The Commission delegates to the Secretary the authority to approve by letter all
compliance filings required in this Order.
- 15 (4) The Commission retains jurisdiction over the subject matter and HopeSource, 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 November 23, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary