

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of	DOCKET TC-160497
BEELINE TOURS LTD. DBA SEATTLE EXPRESS,	ORDER 01
For Authority to Mortgage Certificate of Public Convenience and Necessity No. C-1052	ORDER GRANTING AUTHORITY

BACKGROUND

- 1 On May 12, 2016, Beeline Tours Ltd. dba Seattle Express (Beeline or Company) filed with the Washington Utilities and Transportation Commission (Commission) an application pursuant to RCW 81.68.040 for authority to mortgage Certificate of Public Convenience and Necessity No. C-1052 for operation of its auto transportation company.
- 2 Beeline is requesting this authority to affirm its purchase of Miller Schmer, Inc. dba Seattle Express in connection with a security agreement between the parties.
- 3 The obligation is evidenced by a security agreement and interest in Certificate C-1052 and various vehicles. The monthly payment will be \$6,740, and the interest rate will be 12 percent on the first \$18,000, and five percent on the remaining \$400,500.
- 4 Staff has reviewed the filing and finds that the Company's combined internally-generated funds, as set forth in its application, are sufficient to meet its share of the principal and interest obligations. The applicant does not appear to be adversely affected by the mortgaging of its rights to do business as a public service company.

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 rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including auto transportation companies.
- 6 (2) Beeline is a public service company subject to Commission jurisdiction pursuant to RCW 81.68.

- 7 (3) Beeline's application satisfies the provisions of RCW 81.68.040.
- 8 (4) This matter came before the Commission at its regularly scheduled meeting on September 22, 2016. Staff reviewed the application in Docket TC-160497 and recommends the Commission grant it.
- 9 (5) In the event the proposed indebtedness of the applicant is not repaid, and in a foreclosure action the secured party acquires the assets of the applicant and Certificate of Public Convenience and Necessity No. C-1052, the authority granted by this Order cannot be construed as waiving the requirements of either RCW 81.68 or the Commission's rules in WAC 480-30 as related to the transfer of certificates.
- 10 (6) Any proposed transfer, assignment, or sale of Certificate of Public Convenience and Necessity No. C-1052 to any other party is not under consideration in this Order. It must be the subject of another application filed in accordance with the rules and regulations of this Commission and the applicable statutes.
- 11 (7) The proposed mortgage of Certificate of Public Convenience and Necessity No. C-1052 is not contrary to the public interest and should, therefore, be approved subject to the conditions of this Order.

O R D E R

THE COMMISSION ORDERS:

- 12 (1) After the effective date of this Order and subject to the provisions hereof, Beeline Tours Ltd. dba Seattle Express is hereby authorized to mortgage Certificate of Public Convenience and Necessity No. C-1052 to Miller Schmer, Inc. as security payable to said secured party in the combined principal amount of \$418,500 due six (6) years from the date of issue, all in accordance with the terms of the application and any attached exhibits filed in this docket.
- 13 (2) Within 30 days after discharging the \$418,5000 payable amount, Beeline Tours Ltd. dba Seattle Express must notify the Commission of this fact and file the original Certificate of Public Convenience and Necessity No. C-1052 with the Commission in order to record the release of the mortgage lien.

- 14 (3) The authority granted by this Order shall not be construed as authorizing the transfer, assignment, or sale of Certificate of Public Convenience and Necessity No. C-1052 for any reason whatsoever.
- 15 (4) The Order shall in no way affect the authority of this Commission over rates, services, accounts, valuations, estimates, or determination of costs, or any matters whatsoever that may come before it. Nothing in this Order estimates or determines costs or any valuation of property.

The Commissioners, being fully advised and having determined this matter to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective September 22, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary