

January 11, 2006

NOTICE OF FURTHER PROCEEDINGS

RE: Passenger Transportation Companies, Rulemaking Review of Chapters 480-30 WAC and Chapter 480-40 WAC, in Docket No. TC-020497

TO ALL INTERESTED PERSONS:

This notice is to advise all interested persons that the Washington Utilities and Transportation Commission (UTC) intends to issue a formal rulemaking proposal in mid-February 2006 updating its passenger transportation and bus rules. The UTC has been actively evaluating stakeholder comments received pursuant to its August 15, 2005 notice of draft rules and is developing a small business economic impact statement.

In the past the Commission has scheduled a staff presentation of the rule that will be proposed through a CR-102 notice as an Open Meeting agenda item. The Commission has provided an opportunity for comment on the proposed rule at that Open Meeting. Because stakeholders were given the opportunity to provide comments on the draft, and to also provide written or oral testimony on the proposed rule after the CR-102 is issued, the Commission will not schedule an Open Meeting discussion of the CR-102 notice for this rulemaking. The Commission is extremely interested in the views of all stakeholders regarding bus rules, but believes eliminating the extra Open Meeting step will allow for a more expeditious process. When it issues the formal rulemaking proposal, the UTC will also provide all interested persons with responses to their comments on the August 2005 draft.

The UTC will accept written comments on the formal draft rules and will hold a public hearing, tentatively scheduled for March 29, 2006.

Some interested parties have suggested that the draft rules should establish a specific method for setting rates. Ratemaking methods are not currently specified in the rules. The UTC has determined that its formal rulemaking proposal should not contain a

specific ratesetting method. When it issues the formal rulemaking proposal, the UTC intends to start a new rulemaking inquiry to consider rules for ratesetting. This inquiry will also consider the need for and potential alternatives to continued economic regulation of passenger transportation service.

The proposed rules would replace current bus rules in two chapters: 480-30 WAC (Auto Transportation Companies) and 480-40 WAC (Passenger Charter Carriers). In addition to combining these two chapters into a single chapter, the rules deal with issues such as:

- Ticketing requirements,
- Public notices,
- Free and reduced rates,
- Promotional fares,
- Refunds,
- Checked baggage – defined,
- Passenger facilities – defined,
- Implementing [ch. 121, L. 2005](#) (SSB 5105) allowing for temporary certificates and eliminating mandatory hearings for uncontested cases, and
- Affiliated interest reporting.

If you want information on this rulemaking mailed to you, please contact our Records Center at (360) 664-1234 or records@wutc.wa.gov. Please refer to Docket No. TC-020497 to ensure that you are placed on the correct service list. If you have other questions, please contact Ms. Bonnie Allen, (360) 664-1226 or ballen@wutc.wa.gov.

Sincerely,

CAROLE J. WASHBURN
Executive Secretary