

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

SHUTTLE EXPRESS, INC.,

Petitioner and Complainant,

v.

SPEEDISHUTTLE WASHINGTON, LLC

Respondent.

DOCKET NOS.

TC-143691

TC-160516

TC-161257 (consolidated)

THIRD DATA REQUESTS OF  
SHUTTLE EXPRESS, INC. TO  
SPEEDISHUTTLE WASHINGTON,  
LLC

TO: Respondent SpeediShuttle Washington, LLC (“Speedishuttle”)

**INTRODUCTION**

Please respond to the following data requests in accordance with WAC 480-07-400, *et seq.*

Unless otherwise stated, the time period covered by the following requests is January 1, 2013 to the date of your response. If any response changes, including updated or additional responsive documents or information, please update the response to the date of the hearing.

“Market” means transportation and related services and facilities in or between the SeaTac airport and points in King County, Washington.

“Document” or “record” includes both paper and electronic records and files in their native format, including all metadata. For any file formats that are not readable with mass

market software (such as Excel, Word, Outlook, Acrobat), please also provide or offer to provide in a file format commonly readable (such as Adobe Acrobat portable document format).

### **DATA REQUESTS**

43. Please provide a full and complete description of Mr. Roemer's training, experience, employment, and education as was summarized on page 2, including, but not limited to, any courses, seminars, certifications, licenses, or education (whether or not leading to a degree) since high school.
44. Please identify any boards that Mr. Roemer does or has served on, including for profit and not for profit and whether for compensation or not.
45. Please provide a full copy of SpeediShuttle's most current tariff on file with and approved by the Commission.
46. Regarding Mr. Roemer's testimony at page 6, in what ways is SpeediShuttle service similar to and in what ways is it different than its service in Hawaii?
47. Regarding Mr. Roemer's testimony at pages 6, 44, and 45, regarding comparison of the Seattle and Hawaii markets and sustainability, for each of the airports SpeediShuttle serves in Hawaii, please provide data and supporting documents showing or comparing the numbers and percentage of passengers transported to or from a hotel or resort on the one hand, compared to passengers transported to or from a residence (single or multi-family) or office, on the other hand. If the data cannot be provided in exactly the form or format requested please provide the data in as similar and disaggregated form and substantive content as is available to SpeediShuttle.
48. Regarding Mr. Roemer's testimony at pages 6, 44, and 45, regarding comparison of the Seattle and Hawaii markets and sustainability, for Sea-Tac airport, please provide

- data and supporting documents showing or comparing the numbers and percentage of passengers transported to or from a hotel or resort on the one hand, compared to passengers transported to or from a residence (single or multi-family) or office, on the other hand. If the data cannot be provided in exactly the form or format requested please provide the data in as similar and disaggregated form and substantive content as is available to SpeediShuttle.
49. Regarding Mr. Roemer's testimony at page 12, please provide copies of SpeediShuttle's Fleet Replacement Policy and documents that show the actual application and replacement of vehicles used in the Seattle market by SpeediShuttle Washington to date."provide the current mileage on each vehicle in your Washington and Hawaii fleets.
50. Regarding Mr. Roemer's testimony at page 12, please provide the current mileage on each vehicle in your Washington and Hawaii fleets
51. Referring to Mr. Roemer's testimony at p. 48 (lines 17-25), describing the use of "average variable cost."
- (a) Provide a complete definition of the term "average variable cost" as this term is being used by Mr. Roemer, including the formula that Mr. Roemer believes should be used to calculate "average variable cost.
  - (b) Does Mr. Roemer believe that "average variable cost" should be calculated by dividing total variable cost by a specified number of units? If yes, provide a complete definition of the term total variable cost and a complete description of the units that should be used to convert total variable costs into average

variable costs. If no, explain in detail how Mr. Roemer believes that average variable costs should be calculated.

52. Referring to Mr. Roemer's testimony at p. 49 (lines 1-4), describing the expenses that "go into average variable cost."
- (a) Provide a complete listing of all elements that Mr. Roemer should be used to calculate total variable cost, including but not limited to the illustrative examples provided in his testimony.
  - (b) Provide a complete listing of all elements that Mr. Roemer should be used to calculate average variable cost, including but not limited to the illustrative examples provided in his testimony.
53. For SpeediShuttle's operations in Washington, provide a calculation of its average variable cost for each month of operation. Include the formula used for the calculation, populated with the appropriate values for each time period.
54. Referring to Mr. Roemer's testimony at p. 49 (lines 8-10), describing a calculation of SpeediShuttle's profitability.
- (a) Define the term "cost" as Mr. Roemer intends that term to be understood in his testimony.
  - (b) If Mr. Roemer intends the term to mean anything other than "average variable cost" as defined in response to Request No. 51, above, provide a complete definition of "cost" as this term is being used by Mr. Roemer in his testimony and explain in detail how "cost" differs from "average variable cost."
  - (c) For each month of operation, provide a calculation of whether SpeediShuttle is "profitable" according to the test proposed by Mr. Roemer, based on the

actual number of “passengers,” SpeediShuttle’s applicable “tariffed fares,” and the relevant “cost” advocated by Mr. Roemer.

55. Referring to Mr. Roemer’s testimony at p. 49, lines 17-23. Define the term “unit cost” as Mr. Roemer intends that term to be understood in his testimony. As a part of the definition, include the formula that Mr. Roemer believes should be used to calculate the relevant “unit cost for transportation” and list all elements (specific costs and expenses) that Mr. Roemer believes should be included.
56. Referring to Mr. Roemer’s testimony at p. 44 (lines 18-24). For SpeediShuttle’s operations in each of the identified markets Mr. Roemer indicates SpeediShuttle “knows best” (Honolulu International Airport, Maui Airport, Kona International Airport, and Lihue (Kauai) Airport), provide the following data for each of the first twelve months of SpeediShuttle’s operation in that market and each of the most recent twelve months for which data are available:
  - (a) SpeediShuttle’s total revenue derived from passenger fares
  - (b) SpeediShuttle average fare revenue per passenger
  - (c) SpeediShuttle’s total variable costs
  - (d) SpeediShuttle’s average variable costs
57. Referring to Mr. Roemer’s testimony at p. 52 (lines 10-12). For each month of SpeediShuttle’s operation in Washington, provide the following information:
  - (a) SpeediShuttle’s total revenue derived from passenger fares
  - (b) SpeediShuttle average fare revenue per passenger
  - (c) SpeediShuttle’s total variable costs
  - (d) SpeediShuttle’s average variable costs

58. Referring to Mr. Roemer's testimony at p. 52 (lines 10-12). Provide a complete copy of any and all analyses that support Mr. Roemer's assertion that SpeediShuttle has "come very close" to making a "profit when comparing revenues to variable costs." Include any and all calculations, workpapers, assumptions, and documentation.
59. Regarding Mr. Roemer's testimony at pages 44 and 45, regarding comparison of the Seattle and Hawaii markets and sustainability, please provide data regarding the numbers of passengers transported *overall*, and supporting documents, by month, and by the zip code that was the origin or destination of the trip to or from Sea-Tac Airport. If the data cannot be provided in exactly the form or format requested please provide the data in as similar and disaggregated form and substantive content as is available to SpeediShuttle.
60. Regarding Mr. Roemer's testimony at pages 44, 45 and 51, regarding sustainability and the need to try to fill vans, please provide data regarding the average numbers of passengers transported *per trip*, and supporting documents, by month, and by the zip code that was the origin or destination of the trip to or from Sea-Tac Airport. If the data cannot be provided in exactly the form or format requested please provide the data in as similar and disaggregated form and substantive content as is available to SpeediShuttle.
61. Regarding Mr. Roemer's testimony starting at page 6, regarding the SpeediShuttle "business model" ("model" also discussed starting at page 39) and at various pages regarding SpeediShuttle's "plans" for the service to offer and how to operate upon entry into the Sea-Tac market, please identify and provide copies of any such model, plans, memos, or notes that reflect the planned offering and service.

62. Regarding Mr. Roemer's testimony at page 7 that it is "targeting" a "niche" with its service features, please provide any documents or data that would tend to show or quantify the number of passengers SpeediShuttle serves that are within that "niche" or that SpeediShuttle serves passengers that would not use Shuttle Express because it lacks some or all of the SpeediShuttle "service features" Mr. Roemer describes.
63. Regarding Mr. Roemer's testimony at page 8, please provide numbers of SpeediShuttle passengers that originated or terminated in zip codes 98405 or 98022 by month in 2015 and 2016.
64. Regarding Mr. Roemer's testimony at page 9, please provide a copy of Ticket Number SX3844800 and all documents related to that ticket purchase, including any receipts, emails, or screenshots.
65. Regarding Mr. Roemer's testimony at page 12 comparing safety, please provide copies of all tickets (as in traffic infractions or citations), accident reports, injury reports or claims, or tort claims against SpeediShuttle related to service in Washington.
66. Regarding Mr. Roemer's testimony at page 17, please provide data regarding how many customers have downloaded the SpeediShuttle iPhone iOS or Android app and data regarding how many customers have used the SpeediShuttle iPhone iOS or Android app, by month since the apps were first made available. If customer data is not available please provide data on persons.
67. Regarding Mr. Roemer's testimony at page 18, please provide a DVD, CD-ROM and/or .WMV file that displays the video and audio content that played on SpeediShuttle vans in June 2016 and, if different, also in January 2016.

68. Regarding Mr. Roemer's testimony at page 20 on the "many" Hawaii wholesale customers, please provide data for 2016 that shows the number and percentage of SpeediShuttle's Hawaiian pre-reserved passengers that book transportation through a wholesale customer versus booking directly with SpeediShuttle. Please provide comparable data for Sea-Tac.
69. Regarding Mr. Roemer's testimony at page 23 on the 42 multilingual employee among all its employees in Washington, please identify, as of February 1, 2016, each of SpeediShuttle's employees in Washington and, for each person, state their job title or function and identify any languages that each of them speaks other than English.
70. Regarding Mr. Roemer's testimony at page 35 regarding passengers "originating with wholesalers," being incorrect, please provide monthly data for 2015 and 2016 on all inbound (airline passengers arriving at Sea-Tac) passengers carried by SpeediShuttle and how many of those passengers originated: from a wholesaler, from a telephone call to SpeediShuttle, from a website booking on the SpeediShuttle site, from a SpeediShuttle Apple or Android app, as a "walk-up" (presenting at the SpeediShuttle kiosk without a prior reservation), or other. If there is an "other" please describe what it is.
71. Regarding Mr. Roemer's testimony at page 36 that SpeediShuttle's greeter staffing is appropriate, please provide duty rosters or sufficient data to show scheduling and hours of staffing, numbers of greeters by shifts/days of week/or other period, languages of the assigned staff, and actual or projected number of flights and passengers to be greeted during each period.



72. Regarding Mr. Roemer's testimony at page 36, please provide a copy of any and all complaints, questions, or concerns expressed to SpeediShuttle about its greeter services received in 2016, including any notes of oral communications.
73. Regarding Mr. Roemer's testimony at pages 38-39, please describe in detail the communications identified, alluded to, or relied upon by you in developing your testimony, including, but not limited to, communications between SpeediShuttle and its lawyer and communications between the Commission and SpeediShuttle or its lawyer. Provide all documents that show or relate to such communications, including correspondence, emails, notes, or memoranda relating to the subject of your testimony.
74. Regarding Mr. Roemer's testimony at pages 40-41 regarding wholesale bookings, please provide identity of each SpeediShuttle wholesale customer, and for each customer provide the total number of passengers booked by each wholesaler, by month, for 2016.
75. Regarding Mr. Roemer's testimony at pages 40-41 regarding wholesale bookings, for each SpeediShuttle wholesale customer please state which wholesale customers do and do not have exclusive "deals" with SpeediShuttle for Sea-Tac.
76. Regarding Mr. Roemer's testimony and chart at page 47 on Sea-Tac arriving airline passengers, for the same time period how many of those airline passengers were changing planes and how many were exiting the airport facility and might have used or needed ground transportation? Please provide the underlying data in Excel or other native format used to generate the chart.

77. Regarding Mr. Roemer's testimony at page 47 on Shuttle Express passengers, for the same time period and on the same basis how many passengers did SpeediShuttle carry? Please provide the underlying data in Excel or other native format used to generate the chart.
78. Regarding Mr. Roemer's testimony beginning at page 54 regarding SpeediShuttle financial statements, does SpeediShuttle have any financial statements that comply or substantially comply with Generally Accepted Accounting Principles ("GAAP")? If so, please produce them for 2015 and 2016.
79. Regarding Mr. Roemer's testimony beginning at page 54 regarding SpeediShuttle financial statements please produce financial statements that fairly represent SpeediShuttle's financial condition and performance (profits, losses, operations, overhead, etc.) in 2015 and 2016, by month, if available.
80. What minimum wages does SpeediShuttle pay to employs who work in the cities of SeaTac or Seattle and what is SpeediShuttle's wage policy for employees who work in those jurisdictions part time?

Submitted this 20<sup>th</sup> day of March, 2017.

LUKAS, NACE, GUTIERREZ & SACHS, LLP



Brooks E. Harlow, WSBA 11843  
*Counsel for Shuttle Express, Inc.*

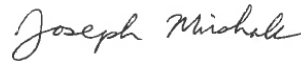
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 20, 2017 I served a copy of the foregoing document via email, with a copy via first class mail, postage prepaid, to:

Julian Beattie Office of the Attorney General Utilities and Transportation Division 1400 S. Evergreen Park Dr. SW PO Box 40128 Olympia, WA 98504-0128 (360) 664-1192 Email: jbeattie@utc.wa.gov	David W. Wiley Blair I. Fassburg Williams Kastner Two Union Square 601 Union Street, Suite 4100 Seattle, WA 98101 206-233-2895 Email: dwiley@williamskastner.com Email: bfassburg@williamskastner.com
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Dated at Tysons, Virginia this 20<sup>th</sup> day of March, 2017.



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Joseph Mirshak

Legal Assistant

LUKAS, LAFURIA,  
GUTIERREZ & SACHS