

WAC 480-70-136 Certificates, temporary, expedited application.

The commission may grant temporary authority using an expedited application process to meet an immediate or urgent need for service if it determines that doing so would be consistent with the public interest. Authority granted under these provisions is known as "expedited temporary authority" or an "ETA."

(1) **Determining public interest.** The commission will consider the following factors in determining whether granting expedited temporary authority is consistent with the public interest:

(a) A showing of an immediate or urgent need for the requested service due to circumstances such as, but not limited to:

(i) An emergency rendering it impossible for the existing company to provide service;

(ii) Commission action suspending or canceling the authority of the existing company; or

(iii) Lack of service.

(b) The presence or lack of available service capable of meeting the need; and

(c) Any other circumstances indicating that the grant of the expedited temporary authority is consistent with the public interest.

(2) **Restrictions and limitations on expedited temporary authority.**

(a) The commission may grant expedited temporary authority for periods of not more than thirty days.

(b) The commission may limit expedited temporary authority to providing service to the specific customer or customers supporting the application.

(c) The commission may further limit expedited temporary authority to service within a specific county, a specific city, a specific geographical area, a specific route, or a specific site.

(3) **Application for expedited temporary authority.** A company applying for expedited temporary authority must submit at least the following:

(a) An application on a form provided by the commission.

(b) Sworn statements from a customer or customers setting forth all pertinent facts relating to the need for service.

(c) Proof that the applicant holds insurance coverage in the amounts, and meeting the provisions, of WAC 480-70-181. Proof may consist of an insurance policy or a certificate of insurance.

(d) An application fee of twenty-five dollars.

(e) A statement that the company will comply with all applicable safety regulations including, but not limited to, those regulations relating to driver qualifications, hours of service, equipment safety, and drug and alcohol testing.

(4) **Commission investigation of applications.** Before granting or denying an application for temporary authority, the commission will conduct an investigation to examine the facts relating to the need for the proposed service.

[Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-136, filed 3/23/01, effective 4/23/01.]