

# Licence Application Decision

## Inter-City Bus (ICB)

Application #	3607-18		
Applicant & Application Summary	<p><b>Squamish Connector Transportation Service Ltd.</b> Trade Name: Squamish Connector</p> <p><b>New ICBA</b></p> <ul style="list-style-type: none"> <li>• New Special Authorization: Inter-City Bus Authorization (ICBA)</li> <li>• 1 inter-city bus route on a reservation basis: Route A: Vancouver – Squamish</li> </ul>		
Publication Date	August 14, 2019		
Submissions Received	None		
Board Decision	<p>The application is approved in whole:</p> <ul style="list-style-type: none"> <li>• The new Special Authorization (ICBA) is approved.</li> <li>• Proposed terms and conditions are approved as set out in the application summary.</li> </ul>		
Applicant Information	Current Licence:	Passenger Transportation Licence 72184 with: <ul style="list-style-type: none"> <li>• General Authorization with PTR s. 2(1) exclusion</li> </ul>	
	Principals:	Cristina ANGEL; Federico ANGEL	
	Office:	1507 Lawson Ave, West Vancouver BC V7V 2C8	
More Information	Notice of applications and published decisions are posted in the <a href="#">PT Board Bulletin</a> . For convenience, published documents for recent ICB applications are listed on the <a href="#">bus application webpage</a> .		
Decision Date	October 29, 2019		
Panel Chair	Spencer Mikituk	Panel Member	William H. Bell

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## Introduction

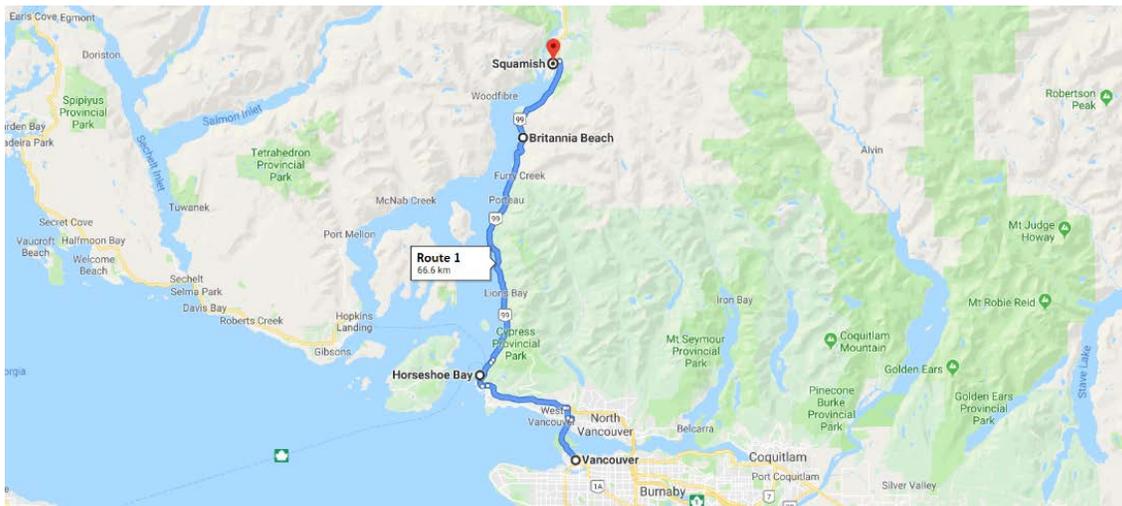
The applicant, Squamish Connector Transportation Service Ltd., doing business as Squamish Connector, holds Passenger Transportation Licence 72184 with a General Authorization that includes an exclusion from requiring an inter-city bus (ICB) authorization under section 2(1) of the *Passenger Transportation Regulation*. The exclusion is only applicable when the transportation is exclusively a round trip from points in one municipality to a location outside that municipality, then back to the originating municipality where passengers disembark.

Squamish Connector is applying for a new Special Authorization licence with Inter-City Bus Authorization (ICBA) to operate one route on a reservation basis along Highway 1 and 99 between Vancouver and Squamish. The applicant proposes to provide service with a minimum route frequency of two trips per day in each direction. It also seeks an option to pick up and drop off passengers at intermediate stops in the following two locations:

- District of West Vancouver (including Horseshoe Bay)
- Britannia Beach

Figure 1 below shows a map of the proposed new route, including the two optional route points.

Figure 1: Proposed Route A



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## I. Background

Squamish Connector was created as a direct response to a growing and unfulfilled need of the Squamish residents to have reliable and cost-effective commuter transportation to and from Squamish. Squamish Connector Transportation Service Ltd. was incorporated in British Columbia on May 30, 2014. Its head office is in West Vancouver, British Columbia.

## II. Mandate & Jurisdiction

This application is made under the *Passenger Transportation Act* (the “Act”). The Act regulates the licensing and operation of commercial passenger transportation vehicles in BC.

Under the Act, the Passenger Transportation Board (the “Board”) makes decisions on applications for inter-city buses. The Board has the authority to consider and approve applications for new licences as well as applications from existing licensees to change terms or conditions of their licences.

The Board’s mandate is stated in section 28 of the Act. Section 28(1) of the Passenger Transportation Act says that the Board may approve, in whole or in part, an application forwarded to it under s. 26(1) after considering whether:

- Is the applicant a fit and proper person to provide its proposed service and is the applicant capable of providing the service?
- Is there is a public need for the service the applicant proposes to provide, and would approving the application support sound economic conditions in the passenger transportation business in British Columbia?

The Act allows the Board to, among other things,

- accept evidence and information that it considers relevant, necessary, and appropriate, whether or not the information would be admissible in a court of law. [Section 15]
- conduct written, electronic or oral hearings, or any combination of them, as the Board, in its sole discretion, considers appropriate. [Section 17]

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- require further information from an applicant. [Section 27(1)(b)]

Section 26(2) of the Act requires the Board to publish the fact and nature of applications and section 27(3) requires the Board to consider applications and any written submissions it receives as result of publication. Section 27(5) says that people who make submissions are not entitled to disclosure of further information, unless the Board orders otherwise.

If the Board approves an application, it will set terms and conditions of licence primarily with respect to routes and service levels.

### **III. Procedural Matters**

The applicant submitted required forms.

This application is being conducted by way of a written hearing.

### **IV. Applicant's Rationale and Submissions**

#### ***Public Explanation***

The applicant provided the following text in the Application Summary that was published in the *Weekly Bulletin*:

*There is a great need for dependable and cost-effective commuter service for the residents of Squamish. The Squamish Connector is the only company fulfilling that need, catering to commuters who live in Squamish and work in Vancouver.*

*With the departure of Greyhound, the commuters of Squamish to Whistler and the North Shore will have no way of getting to work except in private cars. The Squamish Connector will provide a cost-effective service while contributing to the environment by removing cars from the Sea-to-Sky Highway.*

#### ***Submissions & Applicant's Response***

The Board did not receive submissions on this application.

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## V. Reasons for the Board's Decision

### ***Is the applicant a fit and proper person to provide its proposed service and is the applicant capable of providing the service?***

The Board looks at fitness in two parts:

- (a) is the applicant a “fit and proper person” to provide the proposed service; and
- (b) is the applicant capable of providing that service?

The Board considers *fitness* and *capability* in the context and circumstances of an application.

Squamish Connector commenced operations on August 1, 2014. All the disclosure forms for the principals were completed with no discrepancies. The applicant's NSC safety rating is “Satisfactory-Unaudited” with no complaints or administrative penalties. We received no evidence that indicates that the applicant is not fit, proper and capable of operating the ICB transportation service.

The business plan included financial information which is a Balance Sheet and a Statement of Income and Retained Earnings as at December 31, 2016 and 2017. Also included in the Business plan, were the roles and responsibilities of Squamish Connector's management team and a description of its business operations. The materials satisfy us that the applicant has the experience and resources to start and maintain the proposed operation.

We find the applicant continues to be fit, proper and capable to provide the service with the proposed amendment.

### ***Is there is a public need for the service the applicant proposes to provide, and would approving the application support sound economic conditions in the passenger transportation business in British Columbia?***

The Board considers public need and sound economic conditions together. The Board seeks to balance public need for available, accessible and reliable commercial passenger transportation service and overall industry viability and competitiveness.

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The Board expects applicants to show that there is an “unmet” public need for an inter-city bus service on the corridor where you want to provide service. Applicants should give the Board information that is factual and objective. Applicants should not rely on their opinion or general statements to show public need.

The Board finds comments written by potential passengers more useful than form letters or petitions or strings of social media posts. Individually written letters of support show the Board that the writer has thought about the matter and is interested enough to take the time to tell you why he or she supports your application. Generally, the Board does not give as much weight to petitions and form letters as indicators of public need. Often, petitions and form letters do not give the Board specific information about when and how often the people who signed the petition would use a new inter-city bus service.

The Board looks at the “sound economic conditions” issue from a wide-ranging view. The economic conditions of the “transportation business in British Columbia” are considered ahead of the economic and financial interests of an individual applicant or operator.

The Board looks at the state of inter-city bus services in the area where the applicant is applying to operate. The Board considers how the service could benefit the market and whether the market has the capacity to absorb additional services. The Board may consider such things as:

- Will the service fill a gap in the market?
- Has an inter-city bus company recently left the market?
- Will the service give the public additional transportation options?
- Has the applicant shown that current service levels are unsatisfactory?
- Does the market place have the capacity to absorb another service?
- Are there inter-city bus providers in the target market area?
- Will the services supplement another non-transportation business?

Squamish Connector has stated that it requires a full ICB licence to allow for additional stops along the Sea to Sky Highway giving customers more choices, to target a larger number of commuters, to meet increased demand, to remove a large number of vehicles from the Sea to Sky Highway, and to offer better service.

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To show public need for the proposed service the applicant has submitted information and evidence as described below:

- Eight user support statements from individuals or businesses who state that they would use the proposed service. One individual has mentioned that the recent ending of Greyhound Service has left a void in the community for those dependent on this transportation. One business has mentioned that increasing Squamish Connector's pick up and drop off locations would allow its guests to be dropped off and picked up closer to the business location. A lack of public transport options have put a negative impact on some business operators who have had to turn potential clients away. One major employer in the Squamish area has stated that finding suitable employees has been a major constraint in the growth of its business. Potential recruits cite the lack of transportation as a key deterrent. Two other businesses state that their staff, many of which do not have their own vehicles, would use the proposed service to and from work. A business located in Britannia Beach has stated that currently Britannia Beach has no public transport options.
- Information on population trends from the 2016 Statistics Canada Census suggests that many of Squamish residents work out of town. Squamish's workforce consists of approximately 11,600 people. More than half of the commuters travel over 15 minutes to get to work. The estimated population in 2018 (Source: BC stats) is 21,229. The Squamish Chamber of Commerce states that Squamish is one of the fastest growing communities in Canada. Several residential and commercial developments are now underway and the value of building permits has increased since 2016.
- The majority of the various posts from Google Reviews, Instagram and Facebook were commendations on the quality of service that Squamish Connector provides. A very limited amount of posts refer to insufficient stops and operating times.

### **Analysis & Findings**

We have assigned a strong weighting to the letters of support supplied by the applicant which are also corroborated by the statistical information. The majority of the social media posts lacked probative value. Only one post which referred to adding more stops had contact information for verification. Considering the letters of support and the

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corroborating statistical information we are satisfied that there is a public need for this type of service proposed by the applicant.

There were no submissions to this application.

Other ICB operators provide a service to and from Squamish. Two operators are the most comparable to the proposal in this application. One is Wilson's Transportation's Route 4 (approved in application 3035-18) which partly targets a commuter market on a route serving four municipalities: Vancouver, West Vancouver (District), Squamish and Whistler. The other is Whistler Rides' Route 1 (approved in application 2330-18) to operate on a reservation basis to serve a different mix of four municipalities: Vancouver, Squamish, Whistler and Pemberton. Both routes cater to markets that include a commuter market. However, the applicant proposes multiple departure times to meet the needs of local commuters, get more people out of their vehicles and reduce congestion. We find that the Squamish Connector is primarily focused on serving a commuter market with an offering that differs from other ICB operators. Further, we note the population growth in Squamish and related demographic information that more than a half of its workforce travels out of town to work.

Based on the evidence noted above, we find that there is a public need for the service that the applicant proposes for Route A, and that approving the application would promote sound economic conditions in the passenger transportation industry in British Columbia.

## **VI. Conclusion**

For the reasons above, this application is approved in whole. However, The Board establishes notice and activation requirements, and terms and conditions of licence that are attached to this decision as Appendices 1 and 2. These form an integral part of the decision.

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## **Appendix 1**

Squamish Connector Transportation Services Ltd.

Trade name: Squamish Connector

### **Public Notice Requirements**

A Passenger Transportation Licence must be issued by the Registrar of Passenger Transportation under section 29 or renewed under section 34 of the *Passenger Transportation Act* before the special authorization approved in this decision may be exercised.

#### **Direction to the Applicant Regarding Notice and Implementation**

Unless otherwise ordered by the Passenger Transportation Board, Squamish Connector Transportation Service Ltd. must post time schedules online and make available to the public online its reservation system no later than **November 15, 2019** to enable advance bookings.

#### **Direction to the Registrar of Passenger Transportation Regarding Issuance**

The Registrar of Passenger Transportation (Registrar) may only issue a licence to Squamish Connector Transportation Service Ltd. with terms and conditions approved in this decision and set out in Appendix 2 after the Registrar is satisfied that Squamish Connector Transportation Service Ltd. has posted time schedules online and made available to the public its online reservation system.

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## Appendix 2

### Terms & Conditions

#### Activation:

Licence Required to Operate Vehicles	The Registrar of Passenger Transportation must issue the applicant a licence before the applicant can operate any vehicles approved in this decision.
Destination Area Requested	<ol style="list-style-type: none"><li>1. The applicant must activate at least 1 vehicle by <b>November 30, 2019</b>.</li><li>2. If the applicant does not meet the requirements set out in 1 above, this Special Authorization expires.</li><li>3. The Passenger Transportation Board may vary the requirements set out in 1 above, if circumstances warrant.</li><li>4. If an applicant needs more time to activate vehicles, then the applicant must make a request to the Board by <b>November 30, 2019</b>.</li></ol> <p>Note: "Activate" means that the applicant has submitted the documents required to obtain a Special Authorization Vehicle Identifier to the Registrar of Passenger Transportation.</p>
Notice to Registrar	<ol style="list-style-type: none"><li>1. The Registrar must not, without direction from the Board, issue the applicant a licence or any Special Authorization Vehicle Identifiers if the applicant has not activated at least 1 vehicle by <b>November 30, 2019</b>.</li></ol> <p>Note: "Activate" means that the applicant has submitted the documents required to obtain a Special Authorization Vehicle Identifier to the Registrar of Passenger Transportation.</p>

<b>Special Authorization INTER-CITY BUS AUTHORIZATION (ICBA) Terms &amp; Conditions</b>	
Definitions	<p>“Board” means the Passenger Transportation Board</p> <p>“Registrar” means the Registrar, Passenger Transportation</p>
<b>A. Legislative Requirements</b>	
Vehicle Identifiers	<p>Each motor vehicle operated under this authorization must display, at the times and in the form and manner required by the Registrar, a vehicle identifier that is:</p> <p style="padding-left: 40px;">(a) issued to the licensee by the Registrar; or</p> <p style="padding-left: 40px;">(b) authorized by the Registrar to be issued by the licensee.</p>
<b>B. Services</b>	
Services	<p>Transportation of passengers must be provided:</p> <p style="padding-left: 40px;">(a) on a scheduled basis; and</p> <p style="padding-left: 40px;">(b) in accordance with minimum frequencies and other terms and conditions of licence that apply to the routes and route points.</p>
Schedules	<p>The licence holder must publish, in a manner accessible to the general public, a schedule for each route with the time and location of each stop; and must carry in each vehicle a copy of the schedule that the vehicle is following.</p>

Service Exception	<p>Routes may only be operated on a “pre-booked” or “reservation required” basis if the route points are:</p> <ul style="list-style-type: none"> <li>(a) designated as reservation required in the licence;</li> <li>(b) identified as pre-booked or reservation required in all current; published schedule information; and</li> <li>(c) available at all times for pre-booking or reservation on the licensee’s website.</li> </ul> <p>When these conditions are met and when no reservations have been received for pick up or drop off at one or more points on the route by the time service is scheduled to be provided, the licence holder has the option of not providing service to those points that would otherwise be required.</p>
<b>Route A</b>	
Terminating Point 1:	<b>City of Vancouver</b>
Terminating Point 2:	<b>District of Squamish</b>
Corridors:	Highways 1 & 99
Route Points	Minimum Frequencies
City of Vancouver	2 trips per day in each direction
District of West Vancouver (including Horseshoe Bay)	optional service
Britannia Beach	optional service
District of Squamish	2 trips per day in each direction
<b>C. Other Requirements</b>	
Transfer of a licence	This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the <i>Passenger Transportation Act</i> .
Liquor Control and Licensing Act Cannabis Control and Licensing Act	The licensee must at all times ensure passenger directed vehicles under their licence are operated in compliance with the <i>Liquor Control and Licensing Act</i> and the <i>Cannabis Control and Licensing Act</i> .