

## **MID-COLUMBIA ECONOMIC DEVELOPMENT DISTRICT COMPLAINTS OF UNFAIR COMPETITION PROCEDURE**

Following are the procedures for handling complaints by a private sector transportation provider that alleges unfair competition due to Mid-Columbia Economic Development District's expanded or current service structure.

1. The Finance and Operations Manager shall be responsible for receiving and investigating any complaints of unfair competition.
2. The Deputy Director shall be responsible for reviewing and analyzing the findings from the investigation.
3. The Deputy Director shall make a recommendation to the Executive Director regarding the merits of the allegation of unfair competition.
4. The Executive Director shall respond to the complaint with a written determination to the Complainant within ten (10) business days of receipt of the complaint. The determination shall include instructions for appeal(s) as stated below in steps 5 & 6.
5. Written Appeals to the Executive Director's determination must be received by Mid-Columbia Economic Development District within ten (10) business days of the determination receipt. A mediator or mediation panel that does not include employees or Board Members of Mid-Columbia Economic Development District will hear the appeal.
6. For complaints that are Oregon-based, the decision of the mediator is the final local decision. For complaints that are Washington-based, either Mid-Columbia Economic Development District or the Complainant may appeal the decision to Washington State Department of Transportation's Public Transportation and Rail Division if they are not satisfied with the decision. Appeals must be filed with the Public Transportation Office Manager within thirty (30) days of the mediator's decision and include the following:
  - ◆ An original signature of the chief executive officer of the entity filing the appeal.
  - ◆ The grounds under which the appeal is being filed.
  - ◆ A copy of the mediator's decision.

A copy of the appeal must be sent by the entity filing the appeal to the other party involved. Once the Public Transportation Office receives the appeal, it will review the decision and the procedures followed from the time the initial complaint was received by Mid-Columbia Economic Development District. The Public Transportation Office will review the procedures that were followed and issued a determination on the appeal.

The determination of the Public Transportation Office shall constitute the final appeal and decision.

7. A Complaints of Unfair Competition file or binder shall be maintained by the Administrative Assistant and include all correspondence regarding any complaints.

## **MID-COLUMBIA ECONOMIC DEVELOPMENT DISTRICT COMPLAINTS OF UNFAIR COMPETITION POLICY**

Mid-Columbia Economic Development District may receive complaints alleging unfair competition from private sector transportation providers who allege to have experienced a decline of business as a result of MCEDD's grant funded project.

As per the Federal Transit Administration (FTA) guidelines, Mid-Columbia Economic Development District shall have procedures in place to process and respond to any complaints alleging unfair competition. These procedures will include the following elements:

1. A person(s) assigned with the responsibility of receiving, investigating and responding to these complaints.
2. An appeal process if the individual or organization filing the complaint is not satisfied with Mid-Columbia Economic Development District's response. The appeal process must identify a mediator or mediation panel that does not include employees or Board members of Mid-Columbia Economic Development District.
3. For complaints that are Washington-based, notice to the individual or organization filing the complaint that Mid-Columbia Economic Development District's decision may be appealed to the Washington State Department of Transportation (WSDOT) with instructions for such appeal. For complaints that are Oregon-based, the decision of the mediator is the final local decision.