

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION**

In the Matter of the Applications of	)	
	)	
Dutchman Marine, LLC d/b/a Lake	)	
Washington Ferry Service, for	)	DOCKET NO. TS-001774
Authority to Provide Commercial	)	
Ferry Service;	)	
	)	
Seattle Ferry Service, LLC, for	)	DOCKET NO. TS-002054
Authority to Provide Commercial	)	
Ferry Service; and	)	
	)	
Seattle Harbor Tours Limited	)	
Partnership, for Authority to Provide	)	DOCKET NO. TS-002055
Commercial Ferry Service;	)	
	)	
	)	NOTICE OF PREHEARING
	)	CONFERENCE
.....	)	(March 7, 2001)

1 This Notice sets a prehearing conference in this matter to formulate the issues, and to discuss how and on what schedule to proceed. This matter involves three applications for authority to provide commercial ferry in overlapping territories (Applications).

2 On November 15, 2000, Dutchman Marine, LLC, d/b/a Lake Washington Ferry (Dutchman) filed with the Commission an application for authority to provide commercial ferry service on Lake Washington between Bellevue and Seattle; Seattle and Kirkland; Renton and Seattle; and Kenmore and Seattle. On December 18, 2000, Seattle Ferry Service, LLC, (Seattle Ferry) filed an application for authority to provide commercial ferry service between Renton and Seattle.<sup>1</sup> On December 15, 2000, Seattle Harbor Tours Limited Partnership (Seattle Harbor Tours) filed an application for authority to provide commercial passenger ferry service between Kenmore, Bellevue, and the University of Washington.<sup>2</sup> (Collectively the “Applicants”).

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<sup>1</sup> Seattle Ferry currently holds commercial ferry authority for passenger service on Lake Union between Fremont and South Lake Union.

<sup>2</sup> Seattle Harbor Tours currently holds commercial ferry authority for passenger service on Lake Union between the University of Washington and South Lake Union

3 The issues in this proceeding include whether granting the authorities requested in the Applications is required by the public convenience and necessity; whether the Commission should consider the Applications jointly; whether the “ten-mile restriction” applies to the Applicants’ requests and, if so, whether the Commission should grant a waiver; and whether to grant various petitions to intervene. The Commission has jurisdiction over this matter pursuant to chapters 47.60 RCW, 81.84 RCW, 34.05 RCW, and 480-51 WAC. The statutes and rules involved include, but are not limited to, RCW 34.05.431, .434, .437, .440, and .443; RCW 47.60.120; RCW 81.84.010, .020, and .070; chapter 480-09 WAC; and WAC 480-51-040, -060, -070, and -430.

4 The Commission sets a prehearing conference to discuss preliminary matters and the hearing process, to establish a procedural schedule, and to formulate the issues. The Commission designates Dennis J. Moss and William E. Hendricks as the presiding administrative law judges.

5 NOTICE IS HEREBY GIVEN That, in accordance with WAC 480-09-700(1)(a), the Commission has determined that good cause exists for this matter to be heard upon a shortened notice.

6 **NOTICE IS HEREBY GIVEN THAT a prehearing conference in this matter will be held on Wednesday, March 7, 2001, beginning at 1:30 p.m. in Room 206, Chandler Plaza, 1300 S. Evergreen Park Drive S.W., Olympia, Washington,** unless changed by the Secretary or the presiding officer. The Commission encourages parties to attend the prehearing conference in person. If you are unable to attend the prehearing conference in person, you may attend via the Commission’s teleconference bridge line. Please contact Nancy Moen at 360-664-1140 to request this service. Due to the limited number of conference ports available, service will be limited to the first eleven people requesting this service.

7 NOTICE IS ALSO GIVEN THAT ANY PARTY WHO FAILS TO ATTEND OR PARTICIPATE IN THE PREHEARING CONFERENCE SET HEREIN, OR OTHER STAGE OF THIS PROCEEDING, MAY BE HELD IN DEFAULT IN ACCORDANCE WITH THE TERMS OF RCW 34.05.440. THE PARTIES ARE FURTHER ADVISED THAT THE SANCTION PROVISIONS OF WAC 480-09-700(4) ARE SPECIFICALLY INVOKED.

8 Please see the form attached to this notice, which should be filled out and returned if any party or witness needs an interpreter or other assistance. The names and mailing addresses of all known parties and their known representatives are as follows:

Applicant: Dutchman Marine, LLC  
d/b/a Lake Washington Ferry Service  
10822 Rainier Ave. South  
Seattle, WA 98178

Representative: Buaer Moynihan & Johnson  
John M. Hugg  
2101 Fourth Avenue, Suite 2400  
Seattle, WA 98121-2320

Applicant: Seattle Ferry Service, LLC  
346 – 10<sup>th</sup> Avenue  
Kirkland, WA 98033

Representative: Williams Kastner & Gibbs PLLC  
David A. Wiley  
P.O. Box 21926  
Seattle, WA 98111-3926

Applicant: Seattle Harbor Tours Limited Partnership  
1101 Alaskan Way  
Seattle, WA 98101

Representative: Davis Wright Tremaine LLP  
Gregory J. Kopta  
2600 Century Square  
1501 Fourth Avenue  
Seattle, WA 98101-1688

Protestant/Petitioner for Intervention: City of Seattle  
Mark H. Sidran, City Attorney  
Gordon B. Davidson,, Asst. City Attorney  
600 Fourth Avenue, 10<sup>th</sup> Floor  
Seattle, WA 98104-1877

Petitioner for Intervener: City of Bellevue  
Richard L. Andrews  
City Attorney  
P.O. Box 90012  
Bellevue, WA 98009

Commission Staff: Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250

Representative: Sally Johnston  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128

- 9 The Commission will make records of the proceeding available for inspection at its offices in Olympia, Washington. The Commission will provide notice of any other procedural phase in writing or on the record during the course of this proceeding.

DATED at Olympia, Washington, and effective this      day of February, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN  
Executive Secretary

**NOTICE**

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and if limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Carole Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket No.: \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_