**BEFORE THE WASHINGTON UTILITIES AND**

**TRANSPORTATION COMMISSION**

|  |  |
| --- | --- |
| IN RE: APPLICATION OF MILLER SCHMER, INC. D/B/ASEATTLE EXPRESSFOR PERMANENT AUTOTRANSPORTATION AUTHORITY | DOCKET TC-111306PROTEST AND REQUEST FOR ADJUDICATIVE PROCEEEDING AND HEARING OFSHUTTLE EXPRESS |

* 1. Shuttle Express, Inc. d/b/a Shuttle Express (“Shuttle Express” or “Protestant”) protests the above captioned application of Seattle Express (“Applicant”) under WAC 480-30-032. Shuttle Express requests that the WUTC commence an adjudicative proceeding and set this application for hearing for the reasons identified in this protest.
	2. The Protestant is:

 Shuttle Express

 800 S.W. 16th Street

 Renton, WA 98057

 Phone: (425) 981-7070

 Attn: John Rowley, Jr.

* 1. The name and address of Shuttle Express’ attorney is:

Brooks E. Harlow

Lukas, Nace, Gutierrez & Sachs, LLP

8300 Greensboro Drive, Suite 1200

McLean, VA 22102

Phone: (703) 584-8680

Facsimile: (703) 584-8696

Email: bharlow@fcclaw.com

* 1. Shuttle Express is an auto transportation company operating under the authority issued by the WUTC in Permit C-975. See attachment. Under this certificate, Shuttle Express has the authority to provide door to door and scheduled service within the city of Seattle. Shuttle Express operates a fleet of approximately 100 vans and 15 buses.
	2. Shuttle Express believes that a grant of Applicant’s application is not in the public interest and is not required by the public convenience and necessity. Applicant requests authority to provide passenger service between Cruise line terminals 66 and 91 and the Sea-Tac Airport. Shuttle Express already provides satisfactory service along this route. There is no public need for the Applicant’s proposed, duplicative service, as Shuttle Express’s existing equipment is not fully utilized and is available to provide additional service should the need and opportunity arise.
	3. If the WUTC sets this matter for hearing, Shuttle Express will appear, submit evidence and present witnesses at the hearing in support of this protest.
	4. Respectfully submitted this 31st day of August, 2011

LUKAS, NACE, GUTIERREZ & SACHS, LLP



Brooks E. Harlow

WSB No. 11843

*Attorney for SHUTTLE EXPRESS, INC.*