

Before the Washington Utilities and Transportation Commission

Re: the application of Xinbao Wang TC-091575 for application to provide scheduled passenger service.

CWA, Inc dba Airporter Shuttle protests under WAC 480-30-116, the application of Ellensburg Express filed under docket TC-091575. CWA requests that the Commission reject this application for reasons identified in this letter.

CWA is an auto transportation company operating under authority issued in Certificate C-1073 by the Commission. This certificate authorizes CWA to provide passenger transportation between Yakima and Seattle and Seatac Airport with intermediate stops in Ellensburg and Cle Elum. CWA is actively engaged in this service and provides 5 round trips each day between these points. CWA has a base in Yakima Washington where its drivers and vehicles domicile.

CWA believes that a grant of the Applicants application is not in the public's interest and is not required for the public convenience and necessity. The applicant requests service from Ellensburg, (near Central Washington University) and Seattle downtown (near the King Street Station) CWA already provides satisfactory service between these two points (CWU and King Street Station) by running 5 round trips each day. There is no public need for the Applicants proposed duplicative service as CWA has sufficient unused capacity on its run. CWA also believes that the Applicant is not fit, willing and able to provide the proposed service in accordance with applicable rules and regulations. The applicant has held himself out as sole expert responsible for safety (part 396 of the FMCSA regulations), driver qualification standards, drug and alcohol testing standards along with all other motor carrier regulations that truly safe motor carriers are obliged to understand.

Customers in our service area have a choice of 5 trips each day between Ellensburg and Seattle. We are a carrier that has professionally trained drivers and a safety record that is rated outstanding by independent safety auditors. The applicant has been unable to define where our service is insufficient and how the public would be better served by their service.

If the Commission sets this matter for hearing, CWA will appear, submit evidence and present one to two witnesses at the hearing in support of this protest, each of whom will testify for about one hour each. The witness estimate may change during this course of this proceeding.

We believe the applicant's request should be denied.

Dated: November 3, 2009

Richard Johnson  
President- CWA, Inc  
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