

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application TC-111619 of	)	DOCKET TC-111619
	)	
PACIFIC NORTHWEST	)	
TRANSPORTATION SERVICES,	)	
INC. d/b/a CAPITAL AEROPORTER;	)	
AIRPORT SHUTTLE	)	NOTICE OF PREHEARING
	)	CONFERENCE
For Extension of Authority under	)	<b>(Set for November 22, 2011,</b>
Certificate No. C-862, For a Certificate	)	<b>at 1:00 p.m.)</b>
of Public Convenience and Necessity to	)	
Operate Motor Vehicles in Furnishing	)	
Passenger and Express Service as an	)	
Auto Transportation Company	)	
.....	)	

1 On September 9, 2011, Pacific Northwest Transportation Services, Inc. d/b/a Capital Aeroporter; Airport Shuttle (Capital Aeroporter or Applicant), filed with the Washington Utilities and Transportation Commission (Commission) an application for an extension of Certificate No. C-862 for a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Passenger and Express Service as an Auto Transportation Company (Application). Notice of the Application was published in the Commission’s weekly Docket of September 12, 2011.

2 The Applicant requests its existing authority be revised to include passenger service between Seattle-Tacoma International Airport and Seattle Waterfront, and between points in Grays Harbor, Lewis, Mason, Thurston, Pierce and King counties and the Seattle waterfront via Seattle-Tacoma International Airport. Limitations include:

1. Closed door service between Seattle-Tacoma International Airport and Seattle Waterfront; and
2. No service may be provided between:
  - a. Hotels in the cities of SeaTac or Tukwila and Cruise Terminals #66 and #91; or
  - b. Between South Center Mall and Cruise Terminals #66 and #91.

Remove limitation of service to Elbe, Ashford, Longmire and Mt. Rainier.

3 On September 16, 2011, Shuttle Express, Inc., d/b/a Shuttle Express, filed a protest to the Application.

4 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 81, and has legal authority to regulate persons seeking to furnish auto transportation services under RCW 81.68 and WAC 480-30. The statutes that apply to this matter include RCW 80.01, RCW 81.04, RCW 81.28, and RCW 81.68, including but not limited to RCW 80.01.040, RCW 81.04.020, RCW 81.68.030 and RCW 81.68.040. The rules that apply to this matter include those within WAC 480-30 and WAC 480-07.

5 **ISSUES.** The issues in this proceeding include whether modifying the existing Capital Aeroporter authority for the service it proposes is necessary and is otherwise consistent with the public interest, and whether other carriers authorized to serve in the requested territory do not or will not provide this service to the satisfaction of the Commission. In addition, the Commission will consider whether to consolidate this proceeding with Dockets TC-111446<sup>1</sup> and TC-111643<sup>2</sup> and/or with Docket TC-111306.<sup>3</sup>

6 **THE COMMISSION GIVES NOTICE That the Commission will hold a prehearing conference in this matter at 1:00 p.m., on November 22, 2011, in Room 108, First Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** The prehearing conference is set at the same

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<sup>1</sup> *In re Application TC-111446 of Shuttle Express, Inc. For Extension of Authority under Certificate No. C-975, For a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Passenger and Express Service as an Auto Transportation Company, Docket TC-111446.*

<sup>2</sup> *In re Application TC-111643 of Excalibur Limousine LLC d/b/a Seattle Green Limo For a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Passenger and Express Service as an Auto Transportation Company, Docket TC-111643.*

<sup>3</sup> *In re Application TC-111306 of Miller Schmer, Inc., d/b/a Seattle Express For Extension of Authority under Certificate No. C-1052, For a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Passenger and Express Service as an Auto Transportation Company, Docket TC-111306.*

time as the prehearing conference in Dockets TC-111306, TC-111446, and TC-111643.

7 The Commission sets a prehearing conference to discuss preliminary matters, the hearing process, and to formulate the issues. The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including hearing dates, to identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

8 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See* WAC 480-07-345(2). Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

9 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

10 The names and mailing addresses of all known parties and their known representatives are as follows:

Applicant: Pacific Northwest Transportation Services, Inc.  
d/b/a Capital Aeroporter; Airport Shuttle  
James N. Fricke, President/CEO  
P.O. Box 2163  
Olympia, WA 98507  
(360) 154-7113  
[jimf@capair.com](mailto:jimf@capair.com)

Protestant: Shuttle Express  
John Rowley, Jr.  
800 S.W. 16<sup>th</sup> Street  
Renton, WA 98057  
(425) 981-7070  
[jrowley@shuttleexpress.net](mailto:jrowley@shuttleexpress.net)

Representative: Brooks E. Harlow  
Lukas, Nace, Gutierrez & Sachs, LLP  
8300 Greensboro Drive, Suite 1200  
McLean, VA 22102  
(703) 584-8680  
[bharlow@fcclaw.com](mailto:bharlow@fcclaw.com)

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

Representative: Jennifer Cameron-Rulkowski  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1186  
[jcameron@utc.wa.gov](mailto:jcameron@utc.wa.gov)

11 Administrative Law Judge Martin Lovinger, from the Commission's Administrative Law Division, will preside during this proceeding.

- 12 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective October 26, 2011.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER  
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary  
Washington State Utilities and  
Transportation Commission  
Richard Hemstad Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

**NOTICE**

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, 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.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : \_\_\_\_\_

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.: (\_\_\_\_) \_\_\_\_\_