

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

In the Matter of the Petition of)	DOCKET TS-070889
)	
AQUA EXPRESS, LLP,)	
)	NOTICE OF PREHEARING
Petitioner,)	CONFERENCE
)	(Set for June 14, 2007,
For Commission Permission to)	at 9:30 a.m.)
Temporarily Discontinue Commercial)	
Ferry Service)	
)	
.....)	

- 1 Aqua Express, LLP, (Aqua Express or Company) on May 7, 2007, filed a petition with the Washington Utilities and Transportation Commission (Commission) requesting permission to temporarily discontinue commercial ferry service pursuant to WAC 480-51-130. In its petition, the Company requests permission to extend its discontinuance of passenger-only ferry service between Kingston and Seattle, Washington, from June 4, 2007, to June 4, 2009.

- 2 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 81, which authorizes it to regulate persons seeking to furnish commercial ferry service under RCW 81.84 and WAC 480-51. The issue in this proceeding is whether the Commission should grant permission to temporarily extend discontinuance of passenger-only ferry service from June 4, 2007, to June 4, 2009.

- 3 Statutes involved include those within RCW 81.04, RCW 81.84, and RCW 34.05, including but not limited to RCW 34.05.431, RCW 34.05.434, RCW 34.05.437, RCW 34.05.440, RCW 34.05.443, RCW 81.84.010, and RCW 81.84.020. Rules involved include those within WAC 480-07 and WAC 480-51.

- 4 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

5 **THE COMMISSION GIVES NOTICE** That the Commission will hold a prehearing conference in this matter at 9:30 a.m., on June 14, 2007, in Room 108 of the Commission's headquarters, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

6 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as set out in WAC 480-07-430.

7 Persons seeking to intervene in the proceeding must file written petitions to intervene at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). In addition, party representatives must file notices of appearance with the Commission, as required by WAC 480-07-345(2), no later than the day before the conference. If any party or witness needs an interpreter or other assistance, they should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for the evidentiary hearings at the prehearing conference or by later written notice.

8 **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. The Commission specifically invokes the sanction provisions of WAC 480-07-450 which allow the Commission to seek penalties for a party in default.

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

Petitioner: Aqua Express, LLP
 1101 Alaskan Way, Suite 201
 Pier 55
 Seattle, WA 98101

Representative: John Blackman
 Managing Partner
 1101 Alaskan Way, Suite 201
 Pier 55
 Seattle, WA 98101
 (206) 623-1445

Commission: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA
(360) 664-1160

Representative: Sally Brown
Senior Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
Olympia, WA 98504-0128
(360) 664-1193

- 10 Administrative Law Judge Adam. E. Torem, from the Utilities and Transportation
Commission's Administrative Law Division, will preside during this proceeding.
- 11 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 June 5, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

Inquiries may be addressed to:

Executive 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: Carole J. Washburn, 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.: (____) _____