

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION**

In re Application of	)	DOCKET TC-090118
	)	
SEATAC SHUTTLE, LLC d/b/a	)	
WHIDBEY-SEATAC SHUTTLE	)	ORDER 01
	)	
For Extension of Authority under	)	
Certificate No. C-1077, for a Certificate	)	PREHEARING CONFERENCE
of Public Convenience and Necessity to	)	ORDER; NOTICE OF HEARING
Operate Motor Vehicles in Furnishing	)	<b>(Set for June 10-11, 2009, 10:00 a.m.)</b>
Passenger and Express Service as an	)	
Auto Transportation Company	)	
	)	
.....	)	

- 1     **NATURE OF PROCEEDING.** On January 16, 2009, SeaTac Shuttle, LLC, d/b/a Whidbey-SeaTac Shuttle (SeaTac Shuttle), filed with the Washington Utilities and Transportation Commission (Commission) an application for an extension of authority under Certificate No. C-1077 for a certificate of public convenience and necessity to operate motor vehicles in furnishing passenger and express service as an auto transportation company (Application).
  
- 2     **PETITIONS FOR INTERVENTION.** On February 17, 2009, Shuttle Express, Inc., d/b/a Shuttle Express (Shuttle Express), filed a protest to the Application. On February 23, 2009, Evergreen Trails, Inc., d/b/a Gray Line of Seattle (Gray Line), filed a protest to the Application.
  
- 3     **CONFERENCE.** The Commission convened a prehearing conference in this docket at Olympia, Washington on April 20, 2009, before Administrative Law Judge Marguerite E. Friedlander.
  
- 4     **APPEARANCES.** Mike Lauver and John Solin, Oak Harbor, Washington, appeared *pro se* on behalf of SeaTac Shuttle. David L. Rice, attorney, Miller Nash, LLP, Seattle, Washington, appeared on behalf of Shuttle Express and Gray Line. Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.

5 **PROTECTIVE ORDER.** The parties ask that the Commission enter a protective order in this docket under RCW 34.05.446, RCW 80.04.095, WAC 480-07-420 and WAC 480-07-423 to protect the confidentiality of proprietary information. The request was granted and a protective order will be entered in this docket.

6 **DISCOVERY.** At the prehearing conference, Shuttle Express requested that the discovery rules be invoked in this docket, pursuant to WAC 480-07-400. SeaTac Shuttle and Gray Line oppose conducting discovery in this docket. As a result, Shuttle Express has been instructed to make its request invoking the discovery rules in a written motion.

7 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule, which is listed below and attached to this Order as Appendix B.

Witness Lists, Cross Examination Estimates	June 3, 2009
Evidentiary Hearing	June 10-11, 2009
Simultaneous Briefs	July 8, 2009
Initial Order	August 12, 2009

8 **NOTICE OF HEARING.** The Commission will hold a hearing in this matter, to begin on **Wednesday, June 10, 2009, at 10:00 a.m., in Room 108 of the Commission's headquarters, Richard Hemstad Building, 1300 S. Evergreen Park Drive SW, Olympia, Washington.** The hearing will continue and be completed, as needed, through **Thursday, June 11, 2009,** in the same location.

9 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus **four** copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

10 **ELECTRONIC SUBMISSION OF DOCUMENTS.** All filings must be mailed or delivered to David W. Danner, Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.

- 11 An electronic copy of all filings must be provided through the Commission's Web Portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)) or by e-mail delivery to [records@utc.wa.gov](mailto:records@utc.wa.gov). Alternatively, parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette or CD including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.
- 12 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1144.
- 13 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective April 21, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARGUERITE E. FRIEDLANDER  
Administrative Law Judge

**APPENDIX A**

**PARTIES' REPRESENTATIVES  
DOCKET TC-090118**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
<b>SeaTac Shuttle, LLC, d/b/a Whidbey-SeaTac Shuttle</b>	John Solin Mike Lauver P.O. Box 2895 Oak Harbor, WA 98277	(360)679-4003	(360)323-8894	mike@seatacshuttle.com
<b>Evergreen Trails, Inc., d/b/a Gray Line of Seattle and Shuttle Express, Inc., d/b/a Shuttle Express</b>	David L. Rice Miller Nash, LLP 4400 Two Union Square 601 Union Street Seattle, WA 98101	(206) 777-7424	(206)622-7485	david.rice@millernash.com

**APPENDIX B**  
**PROCEDURAL SCHEDULE**  
**DOCKET TC-090118**

<b>EVENT</b>	<b>DATE</b>
Witness lists	June 3, 2009
Evidentiary Hearing	June 10-11, 2009
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