

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

In re Application TC-111446 of	)	DOCKET TC-111446
	)	
SHUTTLE EXPRESS, INC.	)	
	)	NOTICE OF CONSOLIDATION AND
For Extension of Authority under	)	PREHEARING CONFERENCE
Certificate No. C-975, For a Certificate	)	<b>(Set for November 22, 2011,</b>
of Public Convenience and Necessity to	)	<b>at 1:00 p.m.)</b>
Operate Motor Vehicles in Furnishing	)	
Passenger and Express Service as an	)	
Auto Transportation Company	)	
	)	
.....	)	
	)	
In re Application TC-111643 of	)	DOCKET TC-111643
	)	
EXCALIBUR LIMOUSINE LLC	)	
d/b/a SEATTLE GREEN LIMO	)	NOTICE OF CONSOLIDATION AND
	)	PREHEARING CONFERENCE
For a Certificate of Public Convenience	)	<b>(Set for November 22, 2011,</b>
and Necessity to Operate Motor	)	<b>at 1:00 p.m.)</b>
Vehicles in Furnishing Passenger and	)	
Express Service as an Auto	)	
Transportation Company	)	
	)	
.....	)	

1 On August 9, 2011, in Docket TC-111446, Shuttle Express, Inc. (Shuttle Express) filed with the Washington Utilities and Transportation Commission (Commission) an application for an extension of 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 (Application). Notice of the Application was published in the Commission’s weekly Docket of August 19, 2011.

2 Shuttle Express requests its existing authority be revised to include passenger service between points in King County and waterfront terminals in Seattle. Limitations include: no service may be rendered hereunder between:

1. Hotels in the cities of SeaTac or Tukwila and Cruise Terminals #66 and #91; and
2. South Center Mall and Cruise Terminals #66 and #91.

3 On September 8, 2011, in Docket TC-111643, Excalibur Limousine LLC, d/b/a Seattle Green Limo (Excalibur) filed with the Commission an application for a Bus Certificate.<sup>1</sup> Notice of the Application was published in the Commission's weekly Docket of September 20, 2011.

4 Excalibur's application requests authority to provide passenger service by reservation only between all hotels in King County and Piers 66 and 91 in Seattle, excluding hotels within the City of Tukwila and within a 3-mile radius of Seattle-Tacoma International Airport.

5 The Commission received no protests in Docket TC-111446 or Docket TC-111643 within the 30 days required by WAC 480-30-116(2)(a)(i).

6 **CONSOLIDATION.** The applications in Dockets TC-111446 and TC-111643 seek overlapping authority, and the latter application was filed within 30 days of the date the former application appeared on the application docket. Because both applicants seek to provide comparable service that no carrier currently provides, the Commission will consolidate Excalibur's Application, Docket TC-111643, with the Application of Shuttle Express in Docket TC-111446, pursuant to WAC 480-30-131(1).

7 **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. The statutes that apply to this matter include RCW 80.01, RCW 81.04, RCW 81.68, and RCW 34.05, including but not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, RCW 34.05.452, RCW 80.01.040, RCW 81.04.020, RCW 81.68.030, and

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<sup>1</sup> A bus certificate is formally referred to in RCW 81.68 as a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Passenger and Express Service as an Auto Transportation Company.

RCW 81.68.040. Rules involved include those within WAC 480-07 and WAC 480-30.

8 **ISSUES.** The issues in this proceeding include whether granting either application or both applications would be consistent with the foregoing statutes and otherwise consistent with the public interest. More specifically, the Commission will consider whether the statutes authorize the Commission to grant both competing applications seeking overlapping authority when no carrier currently has such authority, and if not, on what basis the Commission should determine which applicant should be granted the requested authority.

9 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 1:00 p.m., on November 22, 2011, in Room 108, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** The prehearing conference is set at the same time as the prehearing conference in Dockets TC-111306<sup>2</sup> and TC-111619.<sup>3</sup>

10 The purpose of the prehearing conference is to discuss preliminary matters, explain the hearing process, identify the issues in the proceeding, establish a procedural schedule, and determine other matters to assist the Commission in resolving the case, as listed in WAC 480-07-430.

11 **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

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<sup>2</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.*

<sup>3</sup> *In re Application TC-111619 of Pacific Northwest Transportation Services, Inc. d/b/a Capital Aeroporter; Airport Shuttle For Extension of Authority under 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, Docket TC-111619.*

for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

12 **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.**

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

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

Applicant: Excalibur Limousine, LLC  
d/b/a Seattle Green Limo  
Kevin Williams, Manager  
15810 74<sup>th</sup> Ave. NE  
Kenmore, WA 98028  
(206) 510-5090  
[kevin@seattlegreenlimo.com](mailto:kevin@seattlegreenlimo.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)

- 14 Administrative Law Judge Martin Lovinger, from the Commission's Administrative Law Division, will preside during this proceeding.
- 15 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.: (\_\_\_\_) \_\_\_\_\_