

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

In re Application TC-061847 of,	)	
	)	DOCKET TC-061847
	)	
ROMAN SOLUTIONS LLC d/b/a	)	ORDER 01
ROCKET TRANSPORTATION	)	
	)	
for a Certificate of Public Convenience	)	PREHEARING CONFERENCE
and Necessity to Operate Motor Vehicles	)	ORDER; NOTICE OF HEARING
in Furnishing Passenger and Express	)	(Set for July 11-12, 2007, at
Service as an Auto Transportation	)	9:30 a.m.)
Company	)	
	)	
.....	)	

1 **NATURE OF PROCEEDING.** Docket TC-061847 involves an application by Roman Solutions LLC, d/b/a Rocket Transportation, for an auto transportation, or bus, certificate to provide door-to-door, by reservation only service between Clallam and Jefferson Counties and points in Kitsap County, Tacoma, and Seattle, including: Seattle and Tacoma Amtrak stations, Seattle and Tacoma Greyhound bus terminals, Seattle and Tacoma hospitals, Seattle waterfront cruise ship piers, Sea-Tac International Airport, and various hotels along the route.

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on June 1, 2007, before Administrative Law Judge (ALJ) Adam E. Torem.

3 **APPEARANCES.** Andrew W. Steen, Lane Powell, PC, Seattle, Washington, represents Roman Solutions, LLC. David L. Rice, Miller Nash, LLP, Seattle, Washington, represents Evergreen Trails, Inc., d/b/a Gray Line of Seattle. Richard E. Ashe, President, Bremerton-Kitsap Airporter, Inc. (B-K Airporter), Port Orchard, Washington, appeared *pro se* on behalf of B-K Airporter. James K. Sells, Ryan Sells Uptegraft, Inc., P.S., Silverdale, Washington, represents Heckman Motors, Inc., d/b/a Olympic Bus Lines (Olympic), Port Angeles, Washington; Jack Heckman, President, also appeared on behalf of Olympic. James N. Fricke, President, appeared *pro se* on behalf of Pacific Northwest Transportation Services, Inc., d/b/a Capital Aeroporter / Airport Shuttle (Capital Aeroporter), Olympia, Washington. Michael Fassio,

Assistant Attorney General, Olympia, Washington, represents the Commission's regulatory staff ("Commission Staff" or "Staff").<sup>1</sup> Contact information provided at the conference for the parties' representatives is attached as Appendix A to this order.

4 **PETITIONS FOR INTERVENTION.** No petitions to intervene were filed with the Commission. The case shall proceed with the applicant, four (4) protestants, no intervenors, and Commission staff.

5 **PROTECTIVE ORDER.** A protective order will *not* be entered in this docket at this time. However, the parties reserved their right to 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 any information identified as proprietary information.

6 **DISCOVERY.** It does not appear that formal discovery will be required in this proceeding. If the need for discovery becomes apparent later, any party may request by motion that the Commission allow for discovery pursuant to the Commission's discovery rules, WAC 480-07-400 – 425.

7 **PROCEDURAL SCHEDULE.** The parties agreed upon a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B, and incorporated into the body of this Order by this reference.

8 **NOTICE OF HEARING.** The Commission schedules a hearing in this matter, to commence on **Wednesday, July 11, 2007, at 9:30 a.m., at a location to be announced at a later date.**<sup>2</sup> The hearing shall continue, if necessary, and conclude on Thursday, July 12, 2007.

9 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus ten (10) copies of all pleadings, motions, briefs, and other prefiled materials. These materials must conform to the format and publication guidelines in

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<sup>1</sup> In formal proceedings, such as this case, the Commission's regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an "*ex parte* wall" separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners' policy and accounting advisors from all parties, including Staff. *RCW 34.05.455*.

<sup>2</sup> Despite extensive efforts to identify and reserve an appropriate hearing location in either Port Angeles or Sequim, no such hearing location has yet been secured. If further efforts are fruitless, the hearing may be held at the Commission's headquarters, Richard Hemstad Building, in Olympia, WA.

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 All filings must be mailed or delivered to the Executive 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.wutc.wa.gov/e-filing](http://www.wutc.wa.gov/e-filing)) or by e-mail delivery to [records@wutc.wa.gov](mailto:records@wutc.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 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Pursuant to WAC 480-07-145(6), the presiding officer grants a one-day extension of the paper-filing requirement, allowing electronic submission of documents with the Commission on the filing deadline. Parties must submit documents through the Commission's Web Portal ([www.wutc.wa.gov/e-filing](http://www.wutc.wa.gov/e-filing)) or by e-mail to [records@wutc.wa.gov](mailto:records@wutc.wa.gov), and file an original, plus ten (10) paper copies, of the documents with the Commission by noon on the following business day. Parties must provide courtesy copies of their electronic submissions to the presiding administrative law judge and the parties to the proceeding.
- 13 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. Here, the Applicant and three (3) of the protestants have already negotiated a stipulation that should allow those parties to settle their matters prior to the hearing on the merits. 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.

*14* **NOTICE TO PARTIES: Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective June 14, 2007.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

ADAM E. TOREM  
Administrative Law Judge

**APPENDIX A**

**PARTIES' REPRESENTATIVES  
DOCKET TC-061847**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>FACSIMILE</b>	<b>E-MAIL</b>
<b>ROMAN SOLUTIONS</b>	<b>ANDREW W. STEEN</b> Lane Powell PC 1420 Fifth Avenue, Suite 4100 Seattle, WA 98101-2338	206-223-7739	206-223-7107	<a href="mailto:steena@lanepowell.com">steena@lanepowell.com</a>
<b>GRAY LINE OF SEATTLE</b>	<b>DAVID L. RICE</b> Miller Nash LLP 4400 Two Union Square 601 Union Street Seattle, WA 98101-2352	206-622-8484	206-622-7485	<a href="mailto:david.rice@millernash.com">david.rice@millernash.com</a>
<b>B-K AIRPORTER</b>	<b>RICHARD E. ASCHE</b> P.O. Box 1255 Port Orchard, WA 98366	360-876-1737	360-876-5521	<a href="mailto:reasche@aol.com">reasche@aol.com</a>
<b>OLYMPIC BUS LINES</b>	<b>JAMES K. SELLS</b> Ryan Sells Uptegraft, Inc. P.S. 9657 Levin Road NW, Suite 240 Silverdale, WA 98383	360-307-8860	360-307-8865	<a href="mailto:jimsells@rsulaw.com">jimsells@rsulaw.com</a>
<b>CAPITAL AEROPORTER</b>	<b>JAMES N. FRICKE</b> P.O. Box 2163 Olympia, WA 98507	360-754-7113 Ext. 106	360-754-7118	<a href="mailto:jimf@capair.com">jimf@capair.com</a>
<b>COMMISSION STAFF</b>	<b>MICHAEL FASSIO</b> Asst. Attorney General 1400 S Evergreen Park Dr SW P.O. Box 40128 Olympia, WA 98504-0128	360-664-1192	360-586-5522	<a href="mailto:mfassio@utc.wa.gov">mfassio@utc.wa.gov</a>
<b>Admin. Law Judge</b>	<b>ADAME E. TOREM</b> 1300 S Evergreen Park Dr SW P.O. Box 47250 Olympia, WA 98504-7250	<b>360-664-1138</b>	<b>360-664-2654</b> [ALD fax only – do not use to file]	<a href="mailto:atorem@utc.wa.gov">atorem@utc.wa.gov</a>

**APPENDIX B  
PROCEDURAL SCHEDULE  
DOCKET TC-061847**

<b>EVENT</b>	<b>DATE</b>	<b>INTERVAL</b>
<b>Prehearing Conference</b>		—
<b>Discovery Deadline</b>	<b>Friday, June 22, 2007</b>	<b>21 Days</b>
<b>Exchange witness lists and hearing documents with other parties and file with Commission</b>	<b>Friday, June 22, 2007</b>	<b>21 Days</b>
<b>Evidentiary Hearing</b>	<b>Wednesday, July 11, and Thursday, July 12, 2007</b>	<b>21 Days</b>
<b>Closing Arguments / Briefs</b>	<b>To be Determined</b>	—