

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application TC-111446 of	)	DOCKET TC-111446
	)	<i>(consolidated)</i>
SHUTTLE EXPRESS, INC.)	
	)	ORDER 01
For Extension of Authority under)	
Certificate No. C-975, For a Certificate	)	PREHEARING CONFERENCE
of Public Convenience and Necessity to	)	ORDER
Operate Motor Vehicles in Furnishing)	
Passenger and Express Service as an	)	NOTICE OF HEARING
Auto Transportation Company	)	(Set for January 30, 2012,
	)	at 9:30 a.m.)
.....)	
)	
In re Application TC-111643 of	)	DOCKET TC-111643
	)	<i>(consolidated)</i>
EXCALIBUR LIMOUSINE LLC)	
d/b/a SEATTLE GREEN LIMO	)	ORDER 01
)	
For a Certificate of Public Convenience	)	PREHEARING CONFERENCE
and Necessity to Operate Motor	)	ORDER
Vehicles in Furnishing Passenger and)	
Express Service as an Auto	)	NOTICE OF HEARING
Transportation Company	)	(Set for January 30, 2012,
	)	at 9:30 a.m.)
.....)	
)	
In re Application TC-111619 of	)	DOCKET TC-111619
	)	<i>(consolidated)</i>
PACIFIC NORTHWEST)	
TRANSPORTATION SERVICES,	)	ORDER 01
INC. d/b/a CAPITAL AEROPORTER;)	
AIRPORT SHUTTLE	)	PREHEARING CONFERENCE
	)	ORDER
For Extension of Authority under)	
Certificate No. C-862, For a Certificate	)	NOTICE OF HEARING
of Public Convenience and Necessity to	)	(Set for January 30, 2012,
Operate Motor Vehicles in Furnishing	)	at 9:30 a.m.)
Passenger and Express Service as an)	
Auto Transportation Company)	
.....)	

- 1 **NATURE OF PROCEEDINGS.** On August 9, 2011, in Docket TC-111446, Shuttle Express, Inc. (Shuttle Express) filed with the Washington Utilities and Transportation Commission (Commission) an application to extend its Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Passenger and Express Service as an Auto Transportation Company to include passenger service between points in King County and waterfront terminals in Seattle. Notice of the Application was published in the Commission's weekly Docket of August 19, 2011.
- 2 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.¹ 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. Notice of the Application was published in the Commission's weekly Docket of September 20, 2011.
- 3 On September 9, 2011, in Docket TC-111619, Pacific Northwest Transportation Services, Inc. d/b/a Capital Aeroporter; Airport Shuttle (Capital Aeroporter), filed with the Commission an application to extend its Bus Certificate No. C-862 to include passenger service between the Seattle-Tacoma International Airport and the Seattle Waterfront, and between points in Grays Harbor, Lewis, Mason, Thurston, Pierce and King counties and the Seattle waterfront via Seattle-Tacoma International Airport. Notice of the Application was published in the Commission's weekly Docket of September 12, 2011.
- 4 **CONFERENCE.** The Commission convened a prehearing conference in these matters at Olympia, Washington, on Tuesday, November 22, 2011, before Administrative Law Judge (ALJ) Martin Lovinger.
- 5 **PARTY REPRESENTATIVES.** Brooks E. Harlow, McLean, Virginia, represents Shuttle Express. James Fricke, Olympia, Washington, represents Capital Aeroporter, pro se. Kevin Williams, Kenmore, Washington, represents Excalibur, pro se.

¹ 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.

Jennifer Cameron-Rulkowski, Assistant Attorney General, Olympia, Washington, represents Commission Staff.²

6 **CONSOLIDATION.** The Commission consolidated Excalibur's Application, Docket TC-111643, with the Application of Shuttle Express in Docket TC-111446, pursuant to WAC 480-30-131(1) in a Notice issued October 26, 2011. Capital Aeroporter's application in Docket TC-111619 seeks authority that overlaps with authority being sought in Dockets TC-111446 and TC-111643, including service between points in King County and the Seattle Waterfront. Accordingly, the Commission consolidates Docket TC-111619 with the previously consolidated Dockets TC-111446 and TC-111643.

7 **PETITIONS FOR INTERVENTION.** No person sought to intervene in these dockets.

8 **DISCOVERY.** Commission Staff is the only party that has requested discovery and only for the limited purpose of obtaining financial information from Excalibur, the sole applicant without an existing bus certificate. The Commission finds that such limited discovery is appropriate and makes its discovery rules available for that limited purpose.

9 **EXHIBITS AND WITNESS LISTS.** The parties will exchange exhibits and witness lists on January 25, 2012.

10 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter on **Monday, January 30, 2012, at 9:30 a.m.** and continuing, as necessary, on **Tuesday, January 31, 2012, in Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

11 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file the original plus **4 copies** of all pleadings, motions, briefs, and other prefiled

² In formal proceedings, such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. See RCW 34.05.455.

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.

- 12 All filings must be mailed or delivered to the 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.
- 13 A copy of all filings **must** be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to 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.
- 14 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Parties may submit documents electronically to the Commission on the filing deadline to expedite the filing process, but must file an original, plus **4 paper copies**, of the documents with the Commission by 12:00 noon on the first business day following the filing deadline established in the procedural schedule. WAC 480-07-145(6). Parties may submit documents electronically through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail to records@utc.wa.gov. Finally, to perfect filing, parties **must** simultaneously provide e-mail courtesy copies of filings to the presiding administrative law judge identified on Appendix A to this Order as well as to the parties to the proceeding.
- 15 Electronic versions of all documents must be filed in accordance with WAC 480-07-140(6). Specifically, all documents must be filed in .pdf (Adobe Acrobat) format, supplemented by a separate file in .doc (MS Word) format.
- 16 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal resolution of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited resources but can provide dispute

resolution services in some cases, if requested. If parties wish to explore those services, they should contact the Director of the Administrative Law Division, Administrative Law Judge Gregory J. Kopta, at 360-664-1355.

- 17 **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 November 30, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARTIN LOVINGER
Administrative Law Judge

APPENDIX A

PARTIES' REPRESENTATIVES

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
SHUTTLE EXPRESS	BROOKS E. HARLOW Lukas, Nace, Gutierrez & Sachs, LLP 8300 Greensboro Drive Suite 1200 McLean, VA 22102	206-650-8206	703-584-8693	bharlow@fcclaw.com
CAPITAL AEROPORTER	JAMES FRICKE President and CEO Pacific Northwest Transportation Services, Inc. P.O. Box 2163 Olympia, WA 98507-2163	360-292-7686	360-754-7118	jimf@capair.com
EXCALIBUR	KEVIN WILLIAMS Manager Excalibur Limousine, LLC 15810 74 th Ave. NE Kenmore, WA 98028	206-407-3656	None	kevin@seattlegreenlimo.com
COMMISSION STAFF	JENNIFER CAMERON-RULKOWSKI Assistant Attorney General 1400 S. Evergreen Park Dr. SW PO Box 40128 Olympia, WA 98504-0128	360-664-1186	360-586-5522	jcameron@utc.wa.gov
Admin. Law Judge	MARTIN LOVINGER 1300 S Evergreen Park Dr. SW P.O. Box 47250 Olympia, WA 98504-7250	360-664-1163	360-664-2654 [ALD fax only – do not use to file]	mlovinge@utc.wa.gov

APPENDIX B**PROCEDURAL SCHEDULE**

EVENT	DATE
Exchange witness lists and hearing documents with other parties and file with Commission	January 25, 2012
Evidentiary Hearing	January 30, 2012
Closing Arguments / Briefs (if necessary)	To be Determined