

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

BREMERTON-KITSAP AIRPORTER, INC.,)	DOCKET TC-110230
)	
)	ORDER 01
Respondent,)	
)	
v.)	ORDER GRANTING REQUEST TO
)	SCHEDULE ORAL BRIEF
SHUTTLE EXPRESS, INC.,)	ADJUDICATIVE PROCEEDING
)	
Complainant.)	
)	
.....)	

- 1 On February 2, 2011, Bremerton-Kitsap Airporter, Inc. (Bremerton-Kitsap Airporter) filed with the Washington Utilities and Transportation Commission (Commission) a formal complaint against Shuttle Express. On February 23, 2011, Shuttle Express filed an answer to the complaint. On March 9, 2011, the Commission issued a Notice of Intent to Hear Matter on a Paper Record using the Commission’s rule governing brief adjudicative proceedings (WAC 480-07-610(2)).¹

- 2 On March 17, 2011, Bremerton-Kitsap Airporter filed an opposition to resolution of this matter on a paper record. On March 28, 2011, Shuttle Express filed a notice of its intent to file additional documents in opposition to the Complaint, but noted Bremerton-Kitsap Airporter’s objection to hearing this matter on a paper record and indicated that it would not file additional documents until the issue was addressed.

- 3 As the Commission indicated in its prior notice, it intended to hear this matter as a brief adjudicative proceeding pursuant to WAC 480-07-610(2), albeit on a paper record rather than as an oral evidentiary proceeding. The Commission’s intent in following this process was to conserve the time and resources of all parties and the Commission. However, the Commission is disinclined to follow this process if a party believes that it cannot adequately present its position on the issues for Commission consideration absent an oral proceeding. Accordingly, the Commission

¹ See ¶ 3 of the Notice of Intent to Hear Matter on a Paper Record.

grants Bremerton-Kitsap Airporter's request for an oral brief adjudicative proceeding. The brief adjudicative proceeding will be scheduled by subsequent notice after the Commission has had an opportunity to contact both parties and schedule this matter at a mutually agreeable time.

DATED at Olympia, Washington, and effective April 19, 2011.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

PATRICIA CLARK
Administrative Law Judge