

TC-072050-AT

WASHINGTON



UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. SW
 P.O. Box 47250
 Olympia, WA 98504-7250
 Phone: 360-664-1222
 Fax: 360-586-1181
 TTY: 360-586-8203
 or
 1-800-416-5289
 E-mail: Transportation@wutc.wa.gov

Type of Passenger Transportation Authority Requested (check one box)	Fee Required
<input type="checkbox"/> Auto Transportation Authority (a new certificate) Complete sections 1-8. Submit a proposed tariff and time schedule.	\$ 200
<input type="checkbox"/> Extension of Existing Auto Transportation Certificate No. C- _____ Complete sections 1-8. Submit a proposed tariff and time schedule.	\$ 150
<input type="checkbox"/> Transfer or Lease Auto Transportation Authority Complete sections 1-8 and Attachment B. <input checked="" type="checkbox"/> All of Certificate No. C- <u>1083</u> <input type="checkbox"/> Portion of Certificate No. C- _____	\$ 200
<input type="checkbox"/> Temporary Auto Transportation Authority (new temporary authority or temporary authority to operate pending a commission decision on a parallel filed permanent application) Complete sections 1-8 and Attachment A.	\$ 150
<input type="checkbox"/> Mortgage of Certificate Complete section 1 and Attachment D.	\$ 35
<input type="checkbox"/> Name Change (company corporate name, trade name or surname of an individual owner or partner) Complete section 1 and Attachments C and E.	\$ 35
<input type="checkbox"/> Reinstatement of Cancelled Certificate Complete sections 1 and 8.	\$200

TYPE OF PAYMENT:

Cash Check Money Order AMEX MasterCard Visa

Credit Card Information (if applicable):	Expiration Date Month/Year

Amount: \$ _____

Cardholder's signature: _____ Date: _____

FOR OFFICIAL USE ONLY			
Date Filed: <u>10/18/07</u>	Docket #:	Motcar:	Cert. Issued:
LS Staff Assigned: <u>[Signature]</u>	Insurance:	Application:	Related App:
DOL/SOS:	Tariff/Time Schedule:	Map:	
Text approved for docket:	Safety Inspection:	Reception #: <u>0001668</u>	111 0268:
111-0268-232-02:	111-0268-232-01:	111-0268-230-02: <u>200.00</u>	111-0268-230-01:

✓#98

SECTION 1 - APPLICATION INFORMATION

Name of Applicant: <u>PACIFIC NORTHWEST DISTRIBUTING, LLC</u>		
Trade Name(s) if applicable: <u>Vashon Shuttle, Sound Airporter</u>		
Unified Business Identification Number (UBI): <u>601-846-905</u>		
If you do not know your UBI number or need to request one, contact the Department of Licensing at (360) 664-1400.		
Phone Number: <u>(206) 463-2664</u>	Fax Number: () <u>N/A</u>	E-mail: <u>vashonshuttle@gmail.com</u>
Physical Address Street: <u>10906 SW Cemetery rd Vashon WA 98070</u>		Mailing address, if different from physical address Street: <u>P.O. Box 1813 Vashon WA 98070</u>
City: <u>Vashon</u>		City: <u>Vashon</u>
State/Zip: <u>WA 98070</u>		State/Zip: <u>WA 98070</u>

SECTION 2 - COMPANY INFORMATION

Type of business structure:
 Individual Partnership Corporation Other (LP, LLP, LLC) _____

List the name, title and percentage of partner's share or stock distribution for major stockholders:

Name	Title	Stock Distribution or Percentage of Shares
<u>Danette Stoner</u>	<u>Gen Mgr</u>	<u>100%</u>

Provide the following documents with your application:

A map of the proposed line, route or service territory that meets the standards described in WAC 480-30-051.
N/A Support statements for temporary authority if applicable.

Describe the proposed service including the line, route or service territory description. Describe in terms such as streets, avenues, roads, highways, townships, ranges, cities, towns, counties or other geographic descriptions.

SEE ATT #1 cert 1083

How many riders do you expect during your first year of operations? 600

State the conditions that justify granting of this application.

Elderly, infirm and non drivers who need access to SEA TAC INTERNATIONAL CANNOT OBTAIN AFFORDABLE TRANSPORT FOR THEIR DOOR TO DOOR TRANSPORTATION REQUIREMENT

Do other auto transportation companies currently provide service between any of the points or along any portion of the route you propose to serve?

No Yes If yes, list the names and addresses of companies

Name KITSAY TRANSPORT Address 5748 Bethel rd Port Orchard
Wa 98366

Do you currently hold, or have you ever held, an auto transportation certificate?

No Yes If yes, please indicate your certificate number: C- 1047

Have you ever applied for and been denied an auto transportation certificate?

No Yes If yes, please explain: SEE ABOVE

Have you been cited for violation of state laws or commission rules?

No Yes If yes, please explain: _____

SECTION 3 - TARIFF AND TIME SCHEDULE

If this application is for temporary authority, a new certificate or extension of existing certificated authority, you must include a proposed tariff and time schedule that is in compliance with WAC 480-30-251 through WAC 480-30-436.

If this application is a transfer or a lease of authority from an existing certificate, you must either file a new tariff and time schedule at the same rate levels as on file or you must adopt the current certificate holder's tariff and time schedule. To file a new tariff, use the standard tariff format included with this application or an approved alternate format. Indicate which option you will use:

Adopt (Complete Attachment E)
 File a new tariff

SECTION 4 - HEARING INFORMATION

Estimate the number of witnesses you will present and the amount of time you will need for your presentation if the commission sets your application for a formal hearing.

Number of witnesses:	<u>1.6</u>	Amount of time:	<u>8 hrs</u>
Will an attorney be representing you? If so, complete the following:	<u>To Be Determined</u>		
Attorney's name:	Attorney's phone number:		
Attorney's address:	Fax Number:		
Street	E-mail:		
City, State, Zip			

SECTION 5 - FINANCIAL STATEMENT

You may attach a Balance Sheet or Profit and Loss Statement in place of providing the information requested below.

ASSETS		LIABILITIES	
Cash in Bank	\$ <u>10,650</u>	Salaries/Wages Payable	\$ <u>0</u>
Notes Receivable	\$ <u>5,120</u>	Accounts Payable	\$ <u>4,250</u>
Accounts Receivable	\$ <u>3,695</u>	Notes Payable	\$ <u>0</u>
Investments	\$ <u>5,000</u>	Mortgages Payable	\$ <u>0</u>
Other Current Assets	\$ <u>35,000</u>	Contracts and Bonds Payable	\$ <u>0</u>
Prepaid Expenses	\$ <u>7,500</u>	TOTAL LIABILITIES	\$ <u>4,250</u>
Land and Buildings	\$ <u>—</u>	NET WORTH	
Trucks and Trailers	\$ <u>—</u>	Preferred Stock	\$
Office Furniture	\$ <u>15,000</u>	Common Stock	\$
Other Equipment	\$ <u>23,000</u>	Retained Earnings	\$
Other Assets	\$	Capital	\$
TOTAL ASSETS	\$ <u>104,445</u>	TOTAL LIABILITIES AND NET WORTH	\$ <u>4,250</u>

In addition to completing the information requested above, you must attach a projected balance sheet and income statement for your first year of operation.

SECTION 6 – EQUIPMENT LIST

Describe the equipment you will use in your operations. Attach additional sheets if necessary. You must have your vehicles inspected and receive a valid Commercial Vehicle Safety Alliance decal for each motor vehicle before your application is granted.

Year	Make	License Number	Vehicle ID Number	Seating Capacity
96	Dodge	05962	1B46P44R6T23039	6
96	Plymouth	043NIC	1P4GP44R4TB101992	6
97	Plymouth	073VHX	2P4GP4439VR2H8616	6

SECTION 7 – SAFETY AND OPERATIONS

In each of the categories shown below, list the person and position responsible for understanding and complying with the Federal Motor Carrier Safety Regulations (FMCSR) and Washington State laws and rules. Please refer to the WAC rules, fact sheets and publication "Your Guide to Achieving a Satisfactory Safety Rating" for assistance with requirements.

SAFETY RESPONSIBILITIES

- **COMMERCIAL DRIVER'S LICENSE (CDL) STANDARDS REQUIREMENTS AND PENALTIES** (Title 49, Code of Federal Regulations Part 383). If you operate commercial motor vehicles, your drivers must have a valid CDL.
- **DRIVER QUALIFICATION REQUIREMENTS** (Title 49, Code of Federal Regulations Part 391). Each of your drivers must meet minimum qualification requirements. You must maintain driver qualification files for each driver.
- **DRIVERS HOURS OF SERVICE** (Title 49, Code of Federal Regulations Part 395). Each of your drivers must maintain hours of service logs. You must maintain true and accurate hours of service records for each driver.
- **CONTROLLED SUBSTANCE AND ALCOHOL USE AND TESTING** (Title 49, Code of Federal Regulations Part 382 and Part 40). If you operate commercial motor vehicles, your drivers must be in a Controlled Substance and Alcohol Use and Testing program. You must have an alcohol and controlled substances testing program.
- **INSPECTION, REPAIR AND MAINTENANCE** (Title 49, Code of Federal Regulations Part 396). You must systematically inspect, repair and maintain all motor vehicles.
- **SAFETY REGULATIONS, GENERAL** (Title 49, Code of Federal Regulations Part 390). You must follow safety regulations.
- **DRIVING COMMERCIAL MOTOR VEHICLES** (Title 49, Code of Federal Regulations Part 392). You must follow regulations for driving commercial motor vehicles.
- **PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION** (Title 49, Code of Federal Regulations Part 393). You must maintain parts and accessories in safe condition.

Name: Ronald Stoner Position: Mgr

OPERATIONAL RESPONSIBILITIES

List the person and position responsible for understanding and complying with the requirements of each category shown below.

TARIFFS, TIME SCHEDULES, RATES AND RATE FILINGS (WAC 480-30-251 through WAC 480-30-436). You must file a tariff showing all rates and how those rates will be assessed. You must also file a time schedule.

Name: Ronald Stoner Position: Mgr

ANNUAL REPORTS AND REGULATORY FEES (WAC 480-30-066 through WAC 480-30-081). You must file an annual report and pay regulatory fees by May 1 of each year.

Name: Ronald Stoner Position: Mgr

CUSTOMER SERVICE (WAC 480-30-441 through WAC 480-30-461). You must interact with customers according to the rules.

Name: Ronald Stoner Position: Mgr

STATE OF WASHINGTON GENERAL LAWS, RULES AND REGULATIONS. You must comply with the regulations of local, state, and federal agencies such as, but not limited to: Department of Labor and Industries, Department of Licensing, Secretary of State, Department of Revenue and Internal Revenue Service and Employment Security.

Name: Ronald Stoner Position: Mgr

SECTION 8 - DECLARATION OF APPLICANT:

I understand that filing this application does not authorize me to start requested operations described until the commission grants the application and issues a certificate.

I understand the responsibilities of a passenger transportation company and I comply with all local, state, and federal regulations governing business in the state of Washington.

I certify that the information contained in this application is true and correct and that I am authorized to execute and file this document on behalf of the applicant.

Printed name: Ronald K Stoner

Signature: Ronald K Stoner

Date, County, State: 10/10/07 COUNTY OF KING WASHINGTON State

ATTACHMENT B

JOINT APPLICATION FOR TRANSFER OR LEASE OF CERTIFICATED AUTHORITY

The commission must approve any sale, assignment, lease or transfer of a company's certificate, whether in whole or in part. This does not apply to change in ownership resulting from an acquisition of control of a corporation through stock sale or purchase.

Certificate Number C- 1083

Check appropriate box:

- Transfer All
 Transfer Portion
 Lease All
 Lease Portion

A+B Peninsula Airporter, LLC
Current Name on Certificate (Seller/Lessor)

A+B Peninsula Airporter, LLC
Current Trade Name on Certificate (Seller/Lessor)

Address (Seller/Lessor) _____ Phone Number _____

Fax: _____ E-mail: _____

- Do you owe the commission any fines or penalties? No Yes
 Have you filed your annual report for the last calendar year? No Yes
 Have you regulatory fees for the last calendar year? No Yes

Does the buyer/lessee agree to begin service as soon as the commission authorizes the transfer or lease?

Yes

No, If not, then when? _____

If the commission assigns this application for formal hearing, does both the seller/lessor and the buyer/lessee agree to be present at the hearing?

Yes

No

You must include a map and copy of the certificate to be transferred/leased. If you are applying for authority to transfer or lease a portion of the certificate, you must include a map and description of both the portion to be transferred/leased and the portion to be retained by the existing certificate holder.

If this application is for transfer, please attach a copy of the sales or other agreement to sell. If this application is to lease, please attach a copy of the executed lease agreement.

DECLARATION

Both the seller/lessor and the buyer/lessee declare this application is not made for the purpose of hindering, delaying or defrauding creditors.

We, as applicants, hereby jointly declare and affirm that all information is true to the best of our knowledge.

R. K. Stover, N/A
Seller's/Lessor's Signature

R. K. Stover
Buyer's/Lessee's Signature

Date, County, State

10/10/07 County of King, Washington
Date, County, State

ATTACHMENT E

TARIFF ADOPTION NOTICE

Tariff No. 1083

PACIFIC NW DISTRIBUTING, LLC
(Name of new company)

SOOND AIRPORTER
(Trade name of new company)

adopt all tariffs and supplements to the tariffs
filed with the Washington Utilities and Transportation by:

A+B Peninsula Airporter, LLC
(Name of prior company)

before the date of its acquired possession
of the prior company, or a portion of the authority
of the prior company.

Notice issued by:

Name: Danette K Stover

Title: Gen Mgr.

Telephone Number: 206-463-2664

Fax Number: " "

E-Mail Address: soondaairporter@gmail.com

Date filed with Commission: 10/10/07

PACIFIC NORTHWEST DISTRIBUTING, LLC CERT 1083
 SOUND AIRPORTER
 Ron Stoner 206-463-2664



← TRANSFER REGION #1083

▲ EXISTING CERTIFICATE #1047



SURFACE ARTERIAL
 HWY
 INTERSTATE
 COUNTY LINE
 8 miles
 1.5 INCHES

10/10/2007
Pacific Northwest Distributing, LLC
PO Box 1813
Vashon WA 98070

Ms. Carol J. Washburn, Executive Secretary
Washington State Utilities and Transportation Commission
1300 S. Evergreen Park Dr. S.W., Olympia WA 98504-7250

Dear Ms. Washburn,

We receive with concern your 3 page letter of 9/21/2007 informing us of your staff's wrongful handling of our business interests. Please be advised that at all times we have sought commission guidance during this process. When the former owners contacted your office they were advised to transfer their certificate held as a sole proprietorship to a corporation. This was done solely for the expressed purpose of transferring the certificate. This additional cost was born by our company in the interests of continuing service to the people of the Peninsula. This was accomplished in late June of 2006, as your letter notes the Sole Proprietorship of Amy and Barry Muhlbaier had because of medical reasons, failed to file their report in a timely manner. We specifically asked staff at the UTC at that time if we (A&B as an LLC) should pay the fine and no reply from Ms. Hoyt was given.

Next Spring after receiving approval from your staff we filed a combined report under PNWD, LLC on time, as is our practice. However we received a letter from Ms. Hoyt stating we were late, we sent her the certified mail receipt clearly showing timely delivery but received no answer again from her. Next we received a letter from her claiming we hadn't filed at all, whereupon I contacted Tina Liepsky who agreed there had been a mix up and if we broke out the report to show the separate certificated activities she thought the fines could be waived. We requested at that point and received a copy sent to me of the timely filed combined report Ms. Hoyt seems to have misplaced. It was mentioned at the time that legal counsel is relying on *Diamond Parking v. The City of Seattle*; where it was found that as wholly owned subsidiary of Diamond Parking was wrongly required to relicense and pay additional fees by the City of Seattle by the Court. This is the same situation where your staff is now telling us the court was in error. We are unaware of any legal precedent for this action but comply out of necessity and a desire to pacify the unnamed commission staff who are second guessing the court in this matter.

Now we are in receipt of your letter which states we are still in jeopardy of being denied permission by the state to operate. As expressed in our first inquires to the UTC we would have been delighted to proceed in the easiest and least expensive way to begin with by simple transfer directly from the Muhlbaiers. We remain however, very anxious to do the right thing, with this letter we are submitting all fees and documents requested and hope this will be satisfactory to your staff's new decision in this matter. We are concerned that at least one error still is not recognized by Ms. Hoyt and needs to be corrected. In paragraph #5 on page 2 A&B Peninsula Airpporter is wrongfully identified as having failed to submit a report at a time the company was not in existence yet for several months. This report was the responsibility of the Muhlbaiers dba: A&B Specialized Transportation, an entirely separate preexisting legal entity. As such it is the Muhlbaiers who failed to report timely, not A&BPA, LLC. We appreciate the comments regarding "fitness" for approval as a certificated transportation company and will continue to strive to do everything in our power to exceed such a description.

Thousands of hard earned dollars in additional expenses have thus far been incurred because of UTC staff giving wrong directions so far. We trust that "fitness" will also be sought in the actions

of staff who have thus far seem to be in pursuit of that descriptive. Ms. Hoyt still has not returned any of my calls in this matter. Mr. King has been out and unavailable also it seems. Lastly, you give 2 deadlines for response to your letter I recieved only last week in paragraph 1, page 2 we are given until October 19th 2007 but in item 1. third paragraph we are given until October 23rd 2007. Please note today's date is timely by either standard. If there is ANY reason your staff still requires more we request to be notified immediately at 206-463-2664. Delivered today by hand notary you recieve all 6 items noted in your letter:

1. completed application with att. B and \$200
2. Adoption of current Tariff by att. E as instructed by Ms. Wyse
3. State Hwy Map and current cert. as per WAC 480-30-051
4. A letter addressing the 5 questions regarding the transfer hereinafter incorporated below.
5. Full payment for the fine erroneously ascribed to A&BPA,LLC.
6. Full payment of the fine assessed despite timely filing on behalf of PNWD,LLC.

Re: #4 *A&B did not transfer ownership of vehicles to PNWD,LLC. The '05 white Ford Freestar and '97 maroon Ford Windstar minivans are being used in the Muhlbaier's private vans service company.

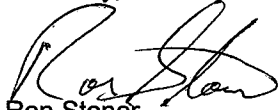
* There are no employees.

* n/a

* Amy and Barry Muhlbaier owned A&BPA,LLC at the time it was transferred to PNWD,LLC.

* Danette Stoner owns PNWD,LLC as indicated previously in letters sent to Tina Liepsky, and all correspondence with the State of Washington since Jan of 2006.

Sincerely,



Ron Stoner
mgr

CC: Association of Washington Businesses
Dow Constantine
Mark Sidran