

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

BREMERTON-KITSAP AIRPORTER,)	DOCKET TC-110230
INC.,)	
)	
Respondent,)	
)	NOTICE OF DEFERRAL OF
v.)	SCHEDULING BRIEF
)	ADJUDICATIVE PROCEEDING
SHUTTLE EXPRESS, INC.,)	(Status Report Due May 27, 2011)
)	
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.

- 2 On March 9, 2011, the Commission issued a Notice of Intent to Hear Matter on Paper Record. On March 17, 2011, Bremerton-Kitsap Airporter requested that the Commission convene an oral hearing rather than hearing this matter on a paper record. By Order 01, entered April 19, 2011, the Commission granted Bremerton-Kitsap Airporter’s request and stated that it would schedule an oral evidentiary hearing by subsequent notice.

- 3 On April 27, 2011, the parties jointly requested that the Commission defer scheduling this matter for hearing because the parties are engaged in informal settlement discussions. They propose to file a joint status report the week of May 23, 2011, and request that the Commission schedule a brief adjudicative proceeding after that time, if necessary.

- 4 The parties’ request is comparable to a motion for continuance. According to WAC 480-07-385, the Commission will grant a continuance if the requesting party states good cause and no party or the Commission will be prejudiced. Participating in settlement discussions constitutes good cause to defer scheduling this matter for a

brief adjudicative proceeding. Neither the joint parties nor the Commission will be prejudiced by granting this request. However, the Commission will only grant a continuance to a date certain.¹ Accordingly, the Commission establishes May 27, 2011, as the deadline for the parties to file a joint report regarding the status of their settlement negotiations.

5 **THE COMMISSION GIVES NOTICE That the deadline for filing a joint status report is May 27, 2011.**

DATED at Olympia, Washington, and effective May 3, 2011.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

PATRICIA CLARK
Administrative Law Judge

¹ WAC 480-07-385(4).