

Miller Nash LLP www.millernash.com 4400 Two Union Square 601 Union Street Seattle, WA 98101-1367 (206) 622-8484 (206) 622-7485 fax

3400 U.S. Bancorp Tower 111 S.W. Fifth Avenue Portland, OR 97204-3699 (503) 224-5858 (503) 224-0155 fax

500 E. Broadway, Suite 400 Post Office Box 694 Vancouver, WA 98666-0694 (360) 699-4771 (360) 694-6413 fax

David L. Rice david.rice@millernash.com

December 16, 2004

#### HAND-DELIVERED

Ms. Carole J. Washburn **Executive Secretary** Washington Utilities and Transportation Commission Post Office Box 47250 1300 S. Evergreen Park Dr. SW Olympia, Washington 98504-7250

Subject:

Docket No. UT-041353

Dear Ms. Washburn:

Attached for filing are an original and 10 copies of the Stipulation of Shuttle Express, Inc. and Diamond-West Transportation Co., Inc. in the above-referenced docket.

.. • .

Very truly yours,

David L. Rice

cc w/enc: All Parties of Record

#### **BEFORE THE**

## WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Application of

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DIAMOND-WEST TRANSPORTATION CO., INC.

For Extension of Authority under Certificate No. C-01054, For a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Passenger and Express Service as an Auto Transportation Company.

Docket No. TC-041353

Application No. D-079295

STIPULATION OF SHUTTLE EXPRESS, INC., AND DIAMOND-WEST TRANSPORTATION CO., INC.

Shuttle Express, Inc. d/b/a Shuttle Express ("Shuttle Express") and Diamond-West Transportation Co., Inc. ("Diamond-West) stipulate to the following:

Diamond-West agrees to narrow the authority it seeks by revising the restrictive amendment it filed on October 21, 2004 as follows:

PASSENGER SERVICE, excluding door-to-door service:

BETWEEN: Seattle and Snoqualmie Pass, including lodges and resorts within three (3) miles of Snoqualmie Pass[-,][ and intermediate points within one mile of I-90,] with service to Bellevue, Redmond, Issaquah, North Bend, [and] Snoqualmie Pass, [intermediate points, and points within one mile of I-90,] via I-90, SR-10, I-405 and SR-520.[ This authority does not include the right to serve areas within five miles of the Seattle-Tacoma International Airport.]

Shuttle Express stipulates that it has no objection to Diamond-West's application, so long as the Commission adopts Diamond-West's requested authority with the amendments shown above. Shuttle Express will remain a party to this proceeding to ensure that the Commission adopts the authority as stated above or with amendments that are acceptable to

Shuttle Express. If the Commission rejects the above-stated amendment, Shuttle Express	
will request a continuance of the hearing so that it can prepare a case and present witnesses.	
DATED this day of December, 2004.	
SHUTTLE EXPRESS, INC.	DIAMOND-WEST TRANSPORTATION CO., INC.
By: AMA CAULLY / by By: Jeff Davis  John Rowley Kuxunty Silving Seff Davis	

Shuttle Express. If the Commission rejects the above-stated amendment, Shuttle Express will request a continuance of the hearing so that it can prepare a case and present witnesses.

DATED this  $\frac{\int \cdot \hat{y}}{y}$  day of December, 2004.

SHUTTLE EXPRESS, INC.	DIAMOND-WEST TRANSPORTATION CO., INC.
By:	By: Jell Dav
John Rowley	Jeff Davis

# CERTIFICATE OF SERVICE

## WUTC DOCKET NO. TC-041353

I, Carol Munnerlyn, hereby certify under penalty of perjury that I caused to be served by first-class U.S. mail, postage fully prepaid, a copy of the foregoing on the Applicant at the following address:

William J. Davis Diamond-West Transportation Co., Inc. Post Office Box 1313 Enumclaw, WA 98022

and by electronic and first-class U.S. mail to:

Jonathan Thompson Assistant Attorney General Attorney General's Office 1400 S. Evergreen Park Dr. SW Post Office Box 40128 Olympia, WA 98504-0128

Dated this / day of December, 2004.

Carol Munnerlyn

Secretary