

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In re Application No. D-079387 of)
) DOCKET NO. TC-051063
GATEWAY SHUTTLE SERVICE,)
INC.,)
)
for a Certificate of Public) NOTICE OF PREHEARING
Convenience and Necessity to) CONFERENCE
Operate Motor Vehicles in) (Set for Monday, October 10, 2005,
Furnishing Passenger and Express) 1:30 p.m.)
Service as an Auto Transportation)
Company)
.....)

1 On July 8, 2005, Gateway Shuttle Service, Inc. (Gateway Shuttle) filed an application with the Commission, No. D-079387, for a Bus Certificate (Application).¹ Notice of the Application was published in the Commission’s weekly Docket of August 1, 2005.

2 Gateway Shuttle’s application requests authority to provide door-to-door passenger service, by reservation only, between 1) Clallam and Jefferson Counties, and Seattle and Tacoma hospitals, Amtrak stations, Greyhound stations, and the Seattle-Tacoma International Airport with flag stops in Kitsap County with closed door service between Clallam and Jefferson Counties, and the indicated points in King and Pierce Counties, and closed door service between Kitsap County and Seattle-Tacoma International Airport,² and 2) Clallam and Jefferson Counties and Port Townsend, Port Ludlow, and Silverdale, for passengers whose point of origin or point of destination is in Clallam or

¹ A bus certificate is formally referred to in chapter 81.68 RCW as a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Passenger and Express Service as an Auto Transportation Company.

² On August 15, 2005, Gateway Shuttle amended its application to include closed door service between Kitsap County and Seattle-Tacoma International Airport.

Jefferson County. All passengers transported by Gateway Shuttle must have either their origin or their destination in Clallam or Jefferson County.³ The Application requests the following condition:

Gateway Shuttle may not provide service to passengers from any point served by Heckman Motors, Inc., d/b/a Olympic Bus Lines, under Certificate No. C-992 without advance reservations made at least one hour in advance of the pick-up times at each such point indicated by Heckman Motors schedule as published from time-to-time in accordance with WAC 480-30-060.

The Application requests approval that Gateway Shuttle be authorized to operate a five foot by eight foot trailer when the trailer is used to carry baggage or express and is towed by a vehicle transporting passengers. Gateway Shuttle has filed proposed tariffs and schedules describing the conditions under which it intends to provide the proposed service.

- 3 The Commission has jurisdiction over this matter under Title 81 RCW, having legal authority to regulate persons seeking to furnish auto transportation services under chapter 81.68 RCW. The issues in this proceeding include whether granting the Application would be consistent with the foregoing statutes and otherwise consistent with the public interest.

- 4 The statutes involved include those within chapter 81.04 RCW, chapter 81.68 RCW, and chapter 34.05 RCW, including but not limited to RCW 34.05.422, RCW 34.05.440, RCW 34.05.449, RCW 34.05.452, RCW 81.68.030, RCW 81.68.040, and RCW 81.68.070. Rules involved include those within chapter 480-07 WAC, chapter 480-30 WAC, including but not limited to WAC 480-30-020 and WAC 480-30-030.

³ On August 24, 2005, Gateway Shuttle amended its application to include language clarifying its service limitations.

5 **THE COMMISSION GIVES NOTICE That a prehearing conference in this matter will be held on Monday, October 10, 2005, beginning at 1:30 p.m. in Room 108, Chandler Plaza, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** The Commission encourages all parties to attend the prehearing conference in person however, if you are unable to attend the prehearing conference in person, you may attend via the Commission's teleconference bridge line **(360) 664-3846**. If you appear via the teleconference, you must appear five minutes before the time that the conference is scheduled to begin.

6 The purpose of the prehearing conference is to discuss preliminary matters, the hearing process, to consider formulating the issues in the proceeding, and to determine other matters to aid in its disposition, as specified in WAC 480-07-430.

7 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default in accordance with RCW 34.05.440. The parties are further advised that the sanction provisions of WAC 480-07-450 are specifically invoked.**

8 The names and mailing addresses of all parties and their known representatives are as follows:

Applicant: Gateway Shuttle Service, Inc.
Jeffrey L. Porter
P.O. Box 883
Carlsborg, WA 98324

Protestant: Evergreen Trails, Inc.
d/b/a Gray Line of Seattle
4500 W. Marginal Way S.W.
Seattle, WA 98106

Representatives: David L. Rice
Miller Nash LLP
4400 Two Union Square
601 Union Street
Seattle, WA 98101-2352
(206) 622-8484

Protestant: Shuttle Express, Inc.
d/b/a Shuttle Express
800 S.W. 16th Street
Renton, WA 98055

Representatives: David L. Rice
Miller Nash LLP
4400 Two Union Square
601 Union Street
Seattle, WA 98101-2352
(206) 622-8484

Protestant: Heckman Motors, Inc.
d/b/a Olympic Bus Lines
Jack Heckman, President
111 East Front Street
Port Angeles, WA 98362
(360) 417-0700

Commission Staff: Chris Swanson
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1220

9 Administrative Law Judge Ann E. Rendahl, from the Utilities and Transportation Commission's Administrative Law Division, will preside during this proceeding.

10 Notice of any other procedural phase will be given in writing or on the record, as the Commission may deem appropriate, during the course of this proceeding.

DATED at Olympia, Washington, and effective this 19th day of September, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

NOTICE

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and if limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket No.: _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____