

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

BREMERTON-KITSAP AIRPORTER,)	DOCKET TC-110230
INC.,)	
)
Complainant,)	
)
v.)	NOTICE OF SECOND DEFERRAL
)
)
SHUTTLE EXPRESS, INC.,)	OF SCHEDULING BRIEF
)
)
Respondent.)	ADJUDICATIVE PROCEEDING
)
)
.....)	(Status Report Due June 30, 2011)

- 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. By Notice entered May 3, 2011, the Commission granted the parties' request and established May 27, 2011, as the deadline for filing a status report.

- 4 The parties timely filed a joint status report on May 26, 2011, and requested further deferral of scheduling a brief adjudicative proceeding. They concur that it would be productive to meet with members of the Commission's Transportation Staff to review chronology and background of the issuance and amendment of the respective auto transporter certificates, removal of restrictions, geographic service areas, and tariff

publication history which comprise the gist of the complaint. They propose to file a joint status report on June 30, 2011.

- 5 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. The parties accurately state that the primary issue in this proceeding involves the authority and geographic service areas approved in the respective auto transporter certificates issued by the Commission. Accordingly, parties offer a reasonable solution to resolve these issues, a meeting with Commission's Transportation Staff. Participating in this meeting 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. The parties also propose a reasonable date, June 30, 2011, for filing a joint status report.

- 6 **THE COMMISSION GIVES NOTICE That the deadline for filing a joint status report is June 30, 2011.**

DATED at Olympia, Washington, and effective May 27, 2011.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

PATRICIA CLARK
Administrative Law Judge