

[Service Date May 22, 2009]

May 22, 2009

**NOTICE EXPANDING THE SCOPE OF THE JUNE 10, 2009, EVIDENTIARY
HEARING TO INCLUDE A SETTLEMENT HEARING
AND
NOTICE ESTABLISHING FILING DEADLINE
(Exhibit Lists due by Wednesday, June 3, 2009)**

RE: *In re Application of SeaTac Shuttle, LLC, d/b/a Whidbey-SeaTac Shuttle, for extension of authority under Certificate No. C-1077, for a Certificate of Public Convenience and Necessity to operate motor vehicles in furnishing passenger and express service as an auto transportation company*
Docket TC-090118

TO ALL PARTIES:

On January 16, 2009, SeaTac Shuttle, LLC, d/b/a Whidbey-SeaTac Shuttle (SeaTac Shuttle) filed an application (Application) with the Washington Utilities and Transportation Commission (Commission) requesting an extension of authority under its current Certificate No. C-1077 authorizing it to operate motor vehicles in furnishing passenger and express service as an auto transportation company.

On February 17, 2009, Shuttle Express, Inc., d/b/a Shuttle Express (Shuttle Express) filed a protest to the Application. On February 23, 2009, Evergreen Trails, Inc., d/b/a Gray Line of Seattle (Evergreen Trails), filed a protest to the Application.

The Commission convened a prehearing conference in this matter at Olympia, Washington, on April 20, 2009. At the prehearing conference, the parties agreed on a procedural schedule which the Commission adopted in Order 01, issued April 21, 2009. The adopted procedural schedule is as follows:

Witness lists and cross examination estimates	June 3, 2009
Evidentiary Hearing	June 10, 2009
Simultaneous Briefs	July 8, 2009
Initial Order	August 12, 2009

On May 14, 2009, SeaTac Shuttle and Evergreen Trails filed a settlement agreement whereby SeaTac Shuttle agreed to narrow the authority it seeks from the Commission in exchange for Evergreen Trails agreeing not to object to SeaTac Shuttle's Application. Shuttle Express is not a party to the settlement agreement. Pursuant to WAC 480-07-740(1)(d), the Commission may schedule a hearing to consider a settlement agreement if the Commission believes that a hearing will assist it in deciding whether to adopt the agreement. As there is already a hearing scheduled for June 10, 2009, in this matter, the Commission believes that it would be helpful to hold both the evidentiary hearing and a settlement hearing on this day.

Signatories to the settlement agreement are reminded that, pursuant to WAC 480-07-740(2)(a) and (b), the parties to the settlement are required to file documentation in support of the agreement, and each party must present at least one witness in support of the proposed agreement and answer questions regarding the agreement's details. As such, SeaTac Shuttle and Evergreen Trails must file on June 3, 2009, in addition to their witness lists and cross examination estimates, an original and 4 copies of the required settlement documentation and exhibits for the settlement hearing.

WAC 480-07-740(2)(c) provides that any party opposing the agreement has certain evidentiary rights at the settlement hearing. Therefore, Shuttle Express may file on June 3, 2009, in addition to its witness list and cross examination estimates, an original and four (4) copies of any exhibits it plans to offer in opposition to the settlement and in accordance with WAC 480-07-740(2)(c). In addition, SeaTac Shuttle and Shuttle Express, must file by June 3, 2009, an original and 4 copies of all exhibits it plans to offer during the evidentiary hearing.

Sincerely,

MARGUERITE E. FRIEDLANDER
Administrative Law Judge