

Lisa Lloyd 03/06/2003



Bonnie Allen

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To: Lisa Lloyd/WUTC@WUTC

cc: Gene Eckhardt/WUTC@WUTC, Teri Wallace/WUTC@WUTC, Tina
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Subject: Evergreen Trails, Inc. Docket TC-030122 - To be routed for hearing

Evergreen Trails, Inc., currently holds Auto Transportation Company Certificate No. C-819 that includes authority to provide service between Seattle and Seattle-Tacoma Airport, subject to a limitation that expressly limits the service to airline passengers and flight crews between Seattle-Tacoma Airport on the one hand, and hotels and air and ground transportation offices and facilities in Seattle on the other hand, at rates substantially higher than the fares of regular common carriers.

Application D-79130, in Docket TC-030122, is a request for extension of authority under Certificate No. C-819 to revise the limiting language of the certificate by adding "water transportation offices and facilities" to the list of locations that the company may serve under its authority between Seattle and the Seattle-Tacoma Airport.

We received no protests or petitions for intervention during the 20 day protest period required by WAC 480-30-032(1). The file was held an additional 10 days to allow for any contemporaneous applications for overlapping authority under the provisions of WAC 480-30-032(2).

RCW 81.68.040 gives the commission power, after hearing, to issue a certificate to an applicant requesting authority to serve a territory already served by an existing certificate holder, and then only if the existing certificate holder will not provide service to the satisfaction of the commission.

The territory requested in this application appears to overlap with authority held by Shuttle Express, Inc., in Certificate No. C-975.

While Shuttle Express, Inc., did not file a protest to this application I believe the provisions of RCW 81.68.040 require the Commission to hold a hearing before it may grant the extension application and issue a revised certificate to the applicant.

Please route copies of TC-030122 to ALD & AG's to set for hearing.

(Lisa, I already have my copy, so you don't need to send me another. Thanks!)

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