

OCT 20 1992

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Application D-75275 of)	
)	ORDER M. V. C. NO. 1984
SAN JUAN AIRLINES, INC.)	
d/b/a SHUTTLE EXPRESS)	HEARING NO. D-75275
)	
for an extension of authority)	
under C-975.)	
.....)	
)	
EVERGREEN TRAILS, INC.,)	
a Washington corporation,)	DOCKET NO. TC-900407
d/b/a GRAYLINE OF SEATTLE,)	
)	COMMISSION DECISION AND
Complainant,)	ORDER ADOPTING INITIAL
)	ORDER GRANTING AMENDED
vs.)	APPLICATION AND
)	DISMISSING PETITION FOR
SAN JUAN AIRLINES, INC.,)	REHEARING
a Washington corporation,)	
d/b/a SHUTTLE EXPRESS,)	
)	
Respondent.)	
.....)	

Hearings were held on the application at Kent, Washington, on March 31, May 7, and June 3, 1992, before Administrative Law Judge Elmer E. Canfield.

On September 3, 1992, the administrative law judge entered Initial Order M. V. C. No. 1979. The initial order was served on all parties of record.

Twenty days have passed since the order was entered and no petition for administrative review has been filed by any affected party of record. In accordance with RCW 34.05.464 and WAC 480-09-780(7), the Commission accepts the findings of fact and conclusions of law, and adopts Order M. V. C. No. 1979, as its own for purposes of this proceeding.

ORDER

IT IS HEREBY ORDERED That Initial Order M. V. C. No. 1979 is affirmed and adopted for purposes of this proceeding. In so doing,

IT IS FURTHER ORDERED That Application No. D-75275 of Shuttle Express, Inc. for extension of Certificate No. C-975 is granted, as amended; and that contingent upon applicant's compliance with Washington laws and with the rules of the Commission, a revised certificate shall be issued to the applicant as set forth in Appendix A, attached to this order and incorporated by this reference; and

IT IS FURTHER ORDERED That, except as specified above, Application No. D-75275 is denied; and

IT IS FURTHER ORDERED That the protests of Evergreen Trails, Inc., d/b/a Grayline of Seattle, Bremerton-Kitsap Airporter, Inc., Everett Airporter Services Enterprises (EASE), Suburban Airporter, Inc., and intervention of Pacific Northwest Transportation Services, Inc., d/b/a Capital Aeroporter are dismissed; and

IT IS FURTHER ORDERED That Grayline's Petition for Rehearing in Docket No. TC-900407 is dismissed.

Dated at Olympia, Washington, and effective this 19th day of October 1992.

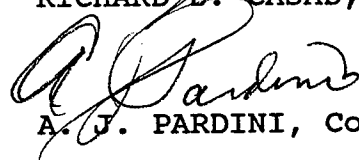
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



SHARON L. NELSON, Chairman



RICHARD D. CASAD, Commissioner



A. J. PARDINI, Commissioner

NOTICE TO PARTIES:

This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-09-810, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-09-820(1).

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APPENDIX A

PASSENGER AND EXPRESS AIRPORTER SERVICE.

Between: The Seattle-Tacoma International Airport, Boeing Field, Renton Airport, and Paine Field and points within the Seattle Commercial Zone in King and Snohomish Counties and excluding points in Kitsap and Pierce Counties, described as follows:

(a) the municipality of Seattle; excluding service to or from the following hotel and/or motels

The Stouffer Madison Hotel, Crown Plaza, Four Seasons Olympic, Seattle Hilton, Seattle Sheraton, Westin, Warwick, and Best Western Executive Inn; and further excluding service to or from any hotels and/or motels located within the Downtown Seattle Area (as hereafter defined) that first open for business after May 1, 1992, provided, however, this exclusion as to hotels and-or motels that first open for business after May 1, 1992, shall not extend to any hotel and/or motel: (a) that is not served by Grayline of Seattle under Certificate No. C-819 within ninety (90) days of opening; (b) during any period after which Grayline of Seattle has failed to provide service under Certificate No. C-819 to such hotel and/or motel for any period of ninety (90) consecutive days; or (c) that Grayline of Seattle has given written notice of its election not to provide service under Certificate No. C-819. The Downtown Seattle Area is defined as follows:

(A) Beginning at the intersection of Battery St. and 6th Ave., then southeast on 6th Avenue to Blanchard St., then northeast on Blanchard St. to 9th Ave., then southeast on 9th Ave. to Interstate 5, then south on Interstate 5 to Royal Brougham Way, then west on Royal Brougham Way to Alaskan Way S., then north on Alaska Way S. (turning into Alaskan Way) to Battery St., then northeast on Battery St. to the Intersection with 6th Ave.;

(B) the term "within the Downtown Seattle Area" includes any property either partially or entirely within the Downtown Seattle Area or, even though partially or entirely outside the Downtown Seattle Area, which abuts Alaskan Way or Alaskan Way S.

(b) all points within a line drawn fifteen miles beyond the municipal line of Seattle;

(c) those points in King County which are not within the area described in (b) of this subsection and which are west of a line beginning at the intersection of the line described in (b) of this subsection and Washington Highway 18, thence northerly along Washington Highway 18 to junction of Interstate Highway 90, thence westerly along Interstate Highway 90 to junction of Washington Highway 203, thence northerly along Washington Highway 203 to the King County line; and those points in Snohomish County,

which are not within the area described in (b) of this subsection and which are west of Washington Highway 9.

(d) All of any municipality any part of which is within the limits of the combined areas defined in (b) and (c) of this subsection; and

(e) all of any municipality wholly surrounded, or so surrounded except for a water boundary, by the municipality of Seattle or by any other municipality included under the terms of (d) of this subsection.

Between: The Seattle-Tacoma International Airport, Boeing Field, Renton Airport and Paine Field and points within a 25 mile radius of these airports, excluding points in Kitsap and Pierce Counties.

Between: The Seattle-Tacoma International Airport and points in Pierce County, excluding service to or from Fort Lewis Army Base, McChord Air Force Base, Pearls by the Sea in Purdy, Safeway at Pt. Fosdick Square in Gig Harbor, and Denny's Restaurant at 5924 - 6th Avenue in Tacoma.

RESTRICTIONS:

- 1) This authority may not be transferred for three years from the date of issue.
- 2) Service may be provided in vehicles no larger than a seven passenger van.
- 3) Service may not be provided to or from the Sheraton Tacoma Hotel, La Quinta Hotel, Quality Hotel, Sherwood Inn, Lakewood Motor Inn and Tacoma Inn-Best Western.
- 4) Service may not be provided between Seattle-Tacoma International Airport, Boeing Field, Renton Airport, and Paine Field on the one hand and the Everett Pacific Hotel, the Everett Quality Inn on 128th Street, the Landmark in Lynnwood, the Northgate Ramada Inn, and the University Plaza Hotel on the other hand.

THE FOLLOWING AUTHORITY WAS OBTAINED BY TRANSFER FROM C-859 STANDING IN THE NAME OF SUBURBAN AIRPORTER, INC.

PASSENGER SERVICE BETWEEN:

Kirkland, Redmond, Bellevue, Mercer Island and Renton on the one hand and the Seattle-Tacoma International Airport on the other hand, via Interstate Highway 405 and connecting highways; subject to the following limitations: (1) The transportation service is limited to passengers, and their baggage, to or from Seattle-Tacoma International Airport. (2) No service is authorized except at points named. (3) Service at the said airport shall be conducted in accordance with authorization issued by the Port of Seattle and such authorization is a term of this certificate. In the event of failure to comply with such authorization, this certificate, after

hearing, may be suspended or revoked, in whole or in part. The holder of this certificate shall file with the Commission a copy of each authorization, or cancellation thereof, issued by the Port of Seattle.

SUB. NO. 1 PASSENGER SERVICE BETWEEN:

Seattle-Tacoma International Airport, and/or Boeing Field Airport and Kirkland, Washington via county roads or city streets to Interstate 5 to Interstate 90 and/or SR 520, thence to their junction with Interstate 405, thence over Interstate 405 and County Roads to Kirkland. (a) Via Interstate 405 and County Roads to points lying between Kirkland and the Snohomish County line. (b) West of Bothell to a line drawn south from the Snohomish County line along NE 88th to NE 170th St., thence West to Lake Washington. (c) Issaquah in King County.

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