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BEFORE THE WASHINGTON STATE

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UTILITIES AND TRANSPORTATION COMMISSION

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4 In re Application TC-140399 of ) DOCKET TC-140399  
5 SANI MAHAMA MAUROU D/B/A ) Pages 1-73  
6 SEATAC AIRPORT 24 )  
7 For a Certification of Public Convenience )  
8 and Necessity to Operate Motor Vehicles in )  
9 Furnishing Passenger and Express Service )  
10 as an Auto Transportation Company )

9

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BRIEF ADJUDICATIVE PROCEEDING, VOLUME I

10

Pages 1-73

11

ADMINISTRATIVE LAW JUDGE RAYNE PEARSON

12

13

9:30 A.M.

14

SEPTEMBER 8, 2014

15

16

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OLYMPIA, WASHINGTON, SEPTEMBER 8, 2014

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9:30 A.M.

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P R O C E E D I N G S

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JUDGE PEARSON: Good morning. Let's be on the record.

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8

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This is Docket TC-140399, In re: The Application of Sani Mahama Maurou, d/b/a SeaTac Airport 24, For a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Passenger and Express Service as an Auto Transportation Company.

12

13

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15

My name is Rayne Pearson. I am the administrative law judge presiding over today's brief adjudicative proceeding. Today is Monday, September 8, 2014, and the time is approximately 9:30 a.m.

16

17

18

The purpose of today's proceeding is to hear objections to the certificated bus application filed by Sani Mahama Maurou -- is that how you pronounce your last name?

19

20

21

22

23

MR. MAUROU: Yes; yes, ma'am.

JUDGE PEARSON: Okay. -- d/b/a SeaTac Airport 24, made by two existing certificated bus companies, Wickkiser International Companies, Inc., d/b/a Airporter Shuttle, and Shuttle Express, Inc.

24

25

I'll take appearances and hear from each party in just a moment, but I want to set some ground rules before we get

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1 started.

2           As you may know, the Commission adopted new rules  
3 effective September 21, 2013, that allow existing auto  
4 transportation companies to object to an application for new  
5 authority, but only if the company holds a certificate that  
6 authorizes the same service and the company provides the same  
7 service published in the application docket. So I bring this up  
8 today because I want to be very clear that we're not here to  
9 discuss the Applicant's fitness. I won't entertain any  
10 testimony about the Applicant's fitness from any of the parties  
11 today. The rule change left those fitness determinations solely  
12 up to the Commission, so if Commission Staff wishes to address  
13 the Company's fitness, that matter would be heard at another  
14 date and time.

15           So when I call on each party to testify, I will swear  
16 you in with the oath of witness so anything that you tell the  
17 Court will be under oath and will be considered sworn testimony.

18           For the court reporter's benefit, please speak slowly  
19 and clearly, and please be sure to use the microphones on the  
20 tables in front of you. When you press the button and the red  
21 light comes on, that means that they are working. It's somewhat  
22 counterintuitive, but just look for the red light.

23           Once you're sworn in, you can present your testimony  
24 and call any witnesses provided that the Commission received  
25 notice that you will be presenting witnesses in advance.

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1           You can also introduce any exhibits that you have  
2 prefiled, and I will rule on the admissibility of each of those  
3 at that time.

4           So the Applicant will go first, followed by Airporter  
5 Shuttle, and then Shuttle Express.

6           And my understanding is that Staff won't be  
7 presenting any witnesses today but may wish to ask the parties  
8 clarifying or follow-up questions; is that correct?

9           MR. FASSIO: That's correct.

10          JUDGE PEARSON: Okay. Each party will also have the  
11 opportunity to ask questions of each other, so I will let you  
12 know when it's your turn to do that after each party has  
13 presented.

14          And, finally, just to let you know that I won't be  
15 making a decision today. I will take all the testimony that's  
16 presented under advisement and issue an order within ten days.

17          Okay. So, first, let's take an appearance from  
18 Commission Staff.

19          Mr. Fassio?

20          MR. FASSIO: Good morning, Your Honor. Michael  
21 Fassio, Assistant Attorney General, appearing on behalf of  
22 Commission Staff. My notice of appearance is already filed in  
23 the docket.

24          JUDGE PEARSON: Okay. Thanks, Mr. Fassio.

25          Okay. So we'll hear from the Company first.

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1                   Mr. Maurou, will you please stand and raise your  
2 right hand?

3

4

SANI MAHAMA MAUROU,

5                   witness herein, having been first duly sworn on oath, was

6

                  examined and testified as follows:

7

8

JUDGE PEARSON: Okay. Thank you.

9

                  Can you please state your name and address for the  
10 record, and spell your last name. You can have a seat.

11

THE WITNESS: Okay.

12

JUDGE PEARSON: And make sure that your microphone is  
13 turned on, please.

14

THE WITNESS: Okay.

15

JUDGE PEARSON: Thank you.

16

THE WITNESS: My name is Sani Maurou. Middle name  
17 Mahama.

18

                  So Sani, "S," like Sam, "a," like apple, "n," Nancy,  
19 "i," India. And Mahama, "M," like mother, "a," like apple,  
20 h-a-m-a. And the last name is Maurou, "M," mother, "a," apple,  
21 "u," university, "r," relation, o-u.

22

JUDGE PEARSON: Okay. Thank you.

23

And your address, please?

24

THE WITNESS: My address is 165 17th Avenue,  
25 Apartment 102. This is Seattle, Washington 98122.

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1 JUDGE PEARSON: Okay. And your phone number and  
2 e-mail address?

3 THE WITNESS: Phone number is: 206.319.7076. And my  
4 e-mail address is my first and last name: sanimaourou@yahoo.com

5 JUDGE PEARSON: Okay. Thank you.

6 THE WITNESS: Yes, Judge.

7 JUDGE PEARSON: So I received 63 exhibits from you in  
8 advance of the hearing, so let's go through each of those before  
9 we get started, okay?

10 THE WITNESS: Okay.

11 JUDGE PEARSON: So Exhibits 1 through 19 are auto  
12 transportation certificate support statements.

13 Are there any objections from any of the other  
14 parties to admitting these into evidence?

15 MR. FASSIO: Your Honor, Staff does have a concern  
16 with some of these exhibits in terms of their relevance to the  
17 specific authority that's being sought today.

18 JUDGE PEARSON: Okay.

19 MR. FASSIO: And perhaps these will be addressed as  
20 the Company goes through each of these to provide some  
21 foundational testimony as to the relevance, but I did want to at  
22 least point out our preliminary concerns just looking at them on  
23 the surface that we do not necessarily have a concern with  
24 Exhibit 2, which is from somebody living in Snoqualmie,  
25 apparently, but the other exhibits, just based upon the vague



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1 nature of the service need that's described, we do have a  
2 concern with relevance at this time.

3 So we may withhold our objections until after the  
4 Company has provided some foundational testimony, but that is  
5 our concern at this point.

6 JUDGE PEARSON: Okay. Thank you.

7 Okay. So I will go ahead and admit those into  
8 evidence and mark them as Exhibit SM-1 at this time.

9 (Exhibit No. SM-1 marked and admitted into evidence.)

10 JUDGE PEARSON: And turning to Exhibit 20, it's a  
11 photo of you with a couple who you stated are customers. And  
12 because I think that only has probative value with respect to  
13 fitness, I'm not going to admit that today.

14 And same with Exhibits 21 through 42, which are  
15 customer surveys that you have printed on your own form and had  
16 customers fill out. Those only have probative value related to  
17 the fitness of your company and not with the overlapping service  
18 that we're here to address today, so I'm not going to admit  
19 those either.

20 THE WITNESS: Can I say something, Your Honor?

21 JUDGE PEARSON: Sure.

22 THE WITNESS: Yeah. Those exhibits from -- as you  
23 said from 21 to -- I did this on my own.

24 JUDGE PEARSON: Mm-hm.

25 THE WITNESS: I had not received the UTC form yet.

0010

1 So I did receive it very late, and I did it with them already.

2 JUDGE PEARSON: Okay.

3 THE WITNESS: And they're filled by my clients.

4 JUDGE PEARSON: And you haven't received the  
5 Commission forms because you haven't received a permit yet --

6 THE WITNESS: Right.

7 JUDGE PEARSON: -- that's why?

8 THE WITNESS: Right. So I would request that those  
9 forms be accepted.

10 JUDGE PEARSON: Okay. I'm not going to --

11 THE WITNESS: And I have e-mail -- I have e-mail that  
12 UTC send me they were late.

13 JUDGE PEARSON: Excuse me. We might be talking about  
14 two separate issues here. If you're asking that our licensing  
15 services section accepts these in lieu of the Commission forms,  
16 that would be a separate issue.

17 We're just talking about admissibility today for the  
18 purposes of establishing whether or not you're attempting to  
19 provide service that's already being provided by another  
20 company, so these have no bearing on that issue.

21 THE WITNESS: Okay.

22 JUDGE PEARSON: Okay?

23 THE WITNESS: Okay.

24 JUDGE PEARSON: Turning to Exhibits 43 through 54,  
25 those are people that you stated are looking for or waiting more

0011

1 than an hour for transportation.

2 And I don't have any way of knowing that by looking  
3 at these photos, so can you explain how you know that the people  
4 in the photos were specifically waiting for an airport shuttle?

5 THE WITNESS: Yes, ma'am. I have been in  
6 transportation business since 1999, so almost 15 years.

7 JUDGE PEARSON: Can you speak a little closer to your  
8 microphone?

9 THE WITNESS: Oh, okay. Yes.

10 I was saying, ma'am, that I have been in  
11 transportation for almost 15 years, but I have -- I have -- I  
12 have a lot of experience when it comes to transportation, as my  
13 own dad was a transporter. So those people I see them every  
14 day.

15 JUDGE PEARSON: Did you speak to the people in these  
16 photos?

17 THE WITNESS: Oh, yes. I speak...

18 JUDGE PEARSON: And asked them?

19 THE WITNESS: Yes. I did speak to some, but I see  
20 that every day. Even now if you go to downtown Seattle you  
21 would see them. And when the cruise from hotels -- I mean, it  
22 is a mess. It is a really, really big mess.

23 And I -- I don't want to -- I've been -- I came to  
24 this state in 1996, and the year before I moved to Seattle --  
25 that's a long story. But when I came, there was no traffic.

0012

1 Now it's getting bigger and bigger, and there is mess. I don't  
2 want to -- I don't like traffic. And I hate traffic.

3 JUDGE PEARSON: Okay.

4 THE WITNESS: If there are solution I can bring to  
5 the table, I will bring it.

6 So I don't see Shuttle Express, who's here, or is  
7 that Wickkiser International? I don't see them like my  
8 competitor. I come to solve problems.

9 JUDGE PEARSON: Okay.

10 THE WITNESS: To be honest, I don't see that like --  
11 it's not a competition. We're trying to solve problem in our  
12 state.

13 JUDGE PEARSON: Okay. I just want to get through the  
14 exhibits right now.

15 THE WITNESS: Okay. Right.

16 JUDGE PEARSON: Then you'll have a chance to testify  
17 about that, okay?

18 THE WITNESS: Right.

19 JUDGE PEARSON: So I just was speaking about the  
20 photos, which are Exhibits 43 to 54.

21 Do any of the other parties have objections to  
22 admitting these photos?

23 MR. FASSIO: Can I ask Mr. Maurou to clarify where  
24 these photos were taken?

25 THE WITNESS: Thank you, Michael. These photos were

0013

1 taken in downtown Seattle, and Pier 66, Pier 69, Pier 91, and  
2 train station and some hotels in downtown.

3 MR. FASSIO: If I could ask a follow-up, which hotels  
4 in downtown? And can you point to the exhibits that  
5 specifically show pictures of the hotels --

6 THE WITNESS: Let me see here.

7 MR. FASSIO: -- of Exhibits 43 through 54 I think  
8 we're looking at now?

9 THE WITNESS: Okay. Can you give me the exhibit  
10 number? I will tell you where -- if you give me the exhibit  
11 number, I will tell you exactly where it was taken. If you give  
12 me that one.

13 JUDGE PEARSON: Let's just start with 43.

14 THE WITNESS: Okay.

15 JUDGE PEARSON: 43 through 46 appear to be at the  
16 same location.

17 THE WITNESS: Right. That one was Pier 66.

18 JUDGE PEARSON: Pier 66?

19 THE WITNESS: Right.

20 JUDGE PEARSON: And how about 47?

21 THE WITNESS: 47 was...

22 JUDGE PEARSON: 47 through 49?

23 THE WITNESS: That was Pier 69.

24 JUDGE PEARSON: And that's true with 48 and 49 as  
25 well?

0014

1 THE WITNESS: Yes.

2 JUDGE PEARSON: Okay. And then how about 50?

3 THE WITNESS: 50? 50 was train station; King -- King  
4 Street Station.

5 JUDGE PEARSON: King Street?

6 THE WITNESS: Yes.

7 JUDGE PEARSON: In Seattle?

8 THE WITNESS: In Seattle, Judge.

9 JUDGE PEARSON: And how about 51?

10 THE WITNESS: 51 was also train station.

11 JUDGE PEARSON: And that's 51 through 54? It's all  
12 Amtrak?

13 THE WITNESS: Yes.

14 JUDGE PEARSON: Okay. And that's all at King Street  
15 as well?

16 THE WITNESS: Yes, ma'am.

17 JUDGE PEARSON: And so how do you know that the  
18 people at the train station are specifically waiting for an  
19 airport shuttle? Is this a specific area where people wait for  
20 that service?

21 THE WITNESS: People who wait there they need  
22 transportation that's why.

23 JUDGE PEARSON: But not necessarily an airport --

24 THE WITNESS: Not necessarily Shuttle -- but not  
25 necessarily Shuttle Express or any company. People just -- they

0015

1 need transportation, and that's it. They need to -- they came  
2 from -- they went to travel -- they travel. Now they going  
3 back. They just want to get to where they want to be; either to  
4 the airport or to their house or -- that's too many things.

5 JUDGE PEARSON: So in any of these photos, are any of  
6 these people standing in areas specifically designated for  
7 airport shuttle transportation?

8 THE WITNESS: Yes. For example, when you take the  
9 case -- the case for Pier 66, ninety -- 95 at least -- or 95  
10 percent go to the airport and 5 percent to hotels or to home,  
11 something, so once again, most of the people go to the airport.

12 JUDGE PEARSON: Anything else, Mr. Fassio?

13 MR. FASSIO: Well, Your Honor, we would object to the  
14 introduction of these exhibits for the primary reason that they  
15 describe -- or they show customers apparently at the piers and  
16 the Amtrak station. But the service that is described in the  
17 docket that the Applicant is seeking is specifically from The  
18 Westin hotel in downtown Seattle and Seattle-Tacoma  
19 International Airport, and these pictures do not show customers  
20 at that location.

21 JUDGE PEARSON: Okay. Thank you.

22 MR. FASSIO: And so that is a relevance objection  
23 that we do have.

24 JUDGE PEARSON: Okay. I agree. I'm going to sustain  
25 that objection.

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1                   So, Mr. Maurou, I'm not going to admit those into  
2 evidence, okay?

3                   THE WITNESS: If I can also add something, Your  
4 Honor? Those people -- this is from what's called "piers."

5                   People are also -- it's two ways. People are leaving  
6 hotels to go to the pier or hotels from -- I take the case  
7 specifically of cruise. It's -- the cruise is one week. They  
8 go -- let's say today's -- if they leave Friday, they will come  
9 back Friday, so it's like one week.

10                   So people leave from hotels to the cruise, and then  
11 from the cruise they go back either to the hotel or to the  
12 airport.

13                   JUDGE PEARSON: Okay. I understand what you're  
14 saying, but I agree with --

15                   THE WITNESS: So it's not necessarily from one point  
16 or to another point. There is a need, great needs for  
17 transportation from --

18                   JUDGE PEARSON: I understand that. You'll have an  
19 opportunity to testify to that, but I agree with Staff's  
20 objection that these locations aren't specific to the authority  
21 that you've applied for which is all we're here to discuss  
22 today.

23                   And then turning to Exhibits 55 through 61, those are  
24 photos of traffic congestion on I-5.

25                   I don't think that those have much probative value



0017

1 today. I think it's well established that traffic is highly  
2 congested along the I-5 corridor, so I'm not going to admit  
3 those either.

4 THE WITNESS: Okay.

5 JUDGE PEARSON: Exhibit 62 is a photo of your fleet  
6 of vehicles. And this is only relevant for the purposes of  
7 establishing your fitness to provide service, so I'm not going  
8 to admit that photo either.

9 THE WITNESS: Okay.

10 JUDGE PEARSON: And Exhibit 63 was video and audio  
11 recordings of customer statements related to the service that  
12 you provide.

13 Are there any objections to the video and audio  
14 statements from any of the other parties?

15 MR. FASSIO: Your Honor, Staff has not seen this  
16 exhibit. If it is a video statement, we did not receive a copy  
17 of it, so we don't know what exactly it is that is on that that  
18 we could object to.

19 Unless the Company is intending to present it today  
20 or show it before us at the hearing, I'm not sure that it has  
21 relevance at this hearing today.

22 JUDGE PEARSON: Have the other parties had an  
23 opportunity to view it?

24 MR. MARKS: No. We have not, Your Honor.

25 JUDGE PEARSON: Okay. Then I won't admit it because

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1 the other parties haven't had an opportunity to review that.

2 Okay. So, Mr. Maurou?

3 THE WITNESS: Yes, Your Honor.

4 JUDGE PEARSON: I just want to remind you that  
5 today's proceeding is focused on two very narrow issues. The  
6 first is whether you applied to offer service where service  
7 already exists, and the second is if that service does exist, is  
8 the existing service adequate.

9 So my first question to you is: Are you contending  
10 that the routes you propose to offer do not overlap with the  
11 route served by these companies, or do you acknowledge that they  
12 do overlap?

13 THE WITNESS: I don't think they do -- well, that's  
14 what I was saying at the beginning, that I don't see Shuttle  
15 Express or any other company as competition because this is a  
16 really big market.

17 JUDGE PEARSON: So you're saying that you don't  
18 believe that the routes --

19 THE WITNESS: Yes, I don't.

20 JUDGE PEARSON: -- you have proposed --

21 THE WITNESS: I don't believe, right.

22 JUDGE PEARSON: -- overlap with their authority?

23 THE WITNESS: I don't believe. Why? Because there  
24 are too many customers.

25 And I'm going to -- Your Honor, I'm going to give

0019

1 you -- first, I have this also for exhibit -- is that 23? I  
2 have a copy here for -- for review.

3 So as I was saying, Your Honor, it's a big market.

4 JUDGE PEARSON: I understand that, but --

5 THE WITNESS: And...

6 JUDGE PEARSON: Let me finish, Mr. Maurou.

7 What I'm asking you -- I understand that you're  
8 stating that there is a greater need than what's being served at  
9 this time, correct?

10 THE WITNESS: Thank you so much, Your Honor.

11 JUDGE PEARSON: I understand that. But are you  
12 saying that the service that you're proposing to offer is  
13 completely different from what these companies offer; that they  
14 don't drive those same routes as where you're proposing to  
15 drive?

16 THE WITNESS: Uh...

17 JUDGE PEARSON: Or do you not have enough information  
18 to know whether or not they offer these same routes?

19 THE WITNESS: I know that Shuttle Express offer  
20 airport transportation. I know that. And the second company, I  
21 am not even aware. And I'm sorry that my -- some of my copies  
22 that I did make myself, those have not been -- were not  
23 accepted, but you can -- you can see in those exhibits -- for  
24 example, people don't even know if Shuttle Express exist.

25 JUDGE PEARSON: Okay. So --

0020

1 THE WITNESS: They don't even know that...

2 JUDGE PEARSON: I'm going to back you up just a  
3 second.

4 THE WITNESS: Yeah, they don't, so...

5 JUDGE PEARSON: Mr. Maurou, if you're saying that you  
6 don't know or you don't believe that the service that you're  
7 proposing to offer is the same as what they offer, then you have  
8 the burden of proof to establish that what you're proposing to  
9 offer is different than the authority that they currently hold.

10 THE WITNESS: The service I'm planning to provide,  
11 why I'm trying to provide those services? There are more needs  
12 for those -- for -- there are a lot of -- there is a lot of  
13 needs for those services. Why? People have been talking.  
14 People have been waiting. Some people even miss their flights.  
15 And it's not -- even -- once again, even now you go to downtown  
16 you see it.

17 So this is big. Look. Washington State has at  
18 least -- roughly 5 million as population.

19 Okay. How many people are flying just from the  
20 airport, Sea-Tac Airport, every day? There is a number.

21 And the population of Seattle itself is almost nine  
22 hundred -- around nine hundred, and I know that will grow very  
23 fast. It will grow to one million. So there is an need. Extra  
24 needs. Why? Once, again, people are waiting and...

25 JUDGE PEARSON: Okay. Let me just stop you for a

0021

1 second.

2 So it sounds like the evidence that you're going to  
3 offer today has more to do with whether the existing service is  
4 adequate --

5 THE WITNESS: Yes.

6 JUDGE PEARSON: -- than whether or not you're  
7 offering to provide the same service that these companies  
8 already provide?

9 THE WITNESS: Uh...

10 JUDGE PEARSON: You want to talk more about whether  
11 there is adequate service right now, not whether the service  
12 exists at all?

13 THE WITNESS: Right, right, right.

14 JUDGE PEARSON: So you concede that the service  
15 exists?

16 THE WITNESS: Yes, ma'am. Yes, yes. That's it.

17 JUDGE PEARSON: Okay. I just wanted to clarify that.

18 THE WITNESS: Thank you. Yes, thank you.

19 JUDGE PEARSON: And with respect to the service that  
20 you're proposing to offer and whether or not it's adequate, I  
21 ask that you keep your testimony to the specific routes that you  
22 have proposed. So that would be from the Tulalip to The Westin  
23 in Seattle to Sea-Tac Airport --

24 THE WITNESS: Right.

25 JUDGE PEARSON: -- from the Snoqualmie Casino; is

0022

1 that correct?

2 THE WITNESS: Yes.

3 JUDGE PEARSON: The Snoqualmie Casino --

4 THE WITNESS: Yes, Your Honor.

5 JUDGE PEARSON: -- to Sea-Tac Airport, and from the

6 Best Western in Monroe to the Sea-Tac Airport?

7 THE WITNESS: Yes.

8 JUDGE PEARSON: So rather than talking about the  
9 larger need for increased transportation in the Seattle area, if  
10 you can speak specifically about the adequacy of service along  
11 those three routes, that's what we're looking at today, and  
12 that's the only thing that we're looking at today --

13 THE WITNESS: Thank you, Your Honor.

14 JUDGE PEARSON: -- okay?

15 THE WITNESS: Thank you, Your Honor.

16 I will start with Tulalip casino.

17 JUDGE PEARSON: Okay. Can you speak into the  
18 microphone --

19 THE WITNESS: Oh, okay.

20 JUDGE PEARSON: -- a little bit more closely? Thank  
21 you.

22 THE WITNESS: No problem, Your Honor.

23 MS. INGRAM: You can move it forward.

24 JUDGE PEARSON: You can move it toward you, sure.

25 THE WITNESS: Thank you.

0023

1                   So I will start with -- I will start with Tulalip  
2 casino.

3                   JUDGE PEARSON: Tulalip casino? Okay.

4                   THE WITNESS: Your Honor, I am on the street almost  
5 every day, so I see a lot of things. When you go there, there  
6 are people. First, there is, I think, a seven-star hotel. It's  
7 a big hotel there, or five-star, something like that, and there  
8 are too many hotels. And people sometime -- and most of the  
9 time, people come from Canada for shopping, and it is very,  
10 very, diverse. It's -- you cannot even tell that some people  
11 come by driving or that people -- maybe they take what's  
12 called -- Pier 69. What do you call it? They take the boat  
13 from Victoria and then come to Seattle, and then from Seattle  
14 they need to go there for shopping. And sometimes they go to  
15 the hotel. That's why I keep talking about Seattle. Sometime  
16 they go to Seattle hotels at night. The next day, they need  
17 transportation from downtown to Tulalip casino or -- that's  
18 called "Seattle outlet mall."

19                   So there is a lot of movements going all directions,  
20 so that's why I -- I see that this -- this can be -- and I have  
21 a lot of calls. I have a lot of calls, and so all those  
22 movements need help. That's why I'm saying I don't -- once  
23 again -- and I keep saying that Shuttle Express or any other  
24 company, I don't see competition because -- and, again, I don't  
25 know if they know or not, but I know what I'm talking. Why? I

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1 have been there for many years. My dad was a transporter. I  
2 know transportation, and I love doing that; taking people to  
3 many places. They are enjoying. I mean, it is amazing. I love  
4 it.

5 So I don't know if they know or not, but it is  
6 really, what's called, a big field. That's too many things.  
7 And Shuttle Express cannot solve all those problem or the other  
8 company. They know that they cannot solve. They cannot solve.  
9 But they have to say -- tell the truth. They cannot solve. I'm  
10 sorry to say that. They cannot solve.

11 So it's -- once again, I say that in a positive way.  
12 You know, I don't -- and this is a small company I'm starting,  
13 and I'm starting with even three vans. Shuttle Express has  
14 start with one van. Even Wickkiser. I have read somewhere. He  
15 said he start also with a small van of -- I don't know -- eight  
16 passengers. I'm starting with three vans; three big vans of 15  
17 passengers, so --

18 JUDGE PEARSON: Okay. Mr. Maurou?

19 THE WITNESS: -- I keep staying positive.

20 JUDGE PEARSON: Okay. I just want to take you back.

21 Do you have any anything specific to say about that  
22 route between the Tulalip to The Westin to Sea-Tac, or do you  
23 want to move on --

24 THE WITNESS: Yes.

25 JUDGE PEARSON: -- to talking about the Snoqualmie



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1 route?

2 THE WITNESS: Yes, now Snoqualmie route. Snoqualmie  
3 is another big casino. I have seen -- people coming from other  
4 states they come to have fun. And sometimes they come by  
5 airport or even train. Or sometime they drive and then they  
6 park their car and they need somebody to drive them because they  
7 know they may be drinking and having fun so coming back may be  
8 trouble for them. They call me to come and help them.

9 And you do that. You really feel that you need  
10 something -- something positive, you know, in their life, so...

11 JUDGE PEARSON: Okay. Mr. Maurou, what can you say  
12 about the adequacy of the service that's currently being  
13 provided there?

14 THE WITNESS: Right. So there are a lot of movement  
15 also from that area either to downtown or to the airport, Your  
16 Honor.

17 JUDGE PEARSON: Okay.

18 THE WITNESS: Yeah.

19 JUDGE PEARSON: And how about from the Best Western  
20 in Monroe to Sea-Tac? Do you have anything specific you want to  
21 say about the current service that's being provided there?

22 THE WITNESS: The Best in Monroe -- Seattle -- we  
23 have seen -- Seattle real estate went high, so people are moving  
24 a little bit out. And then there are a lot of movements to that  
25 area, plus Redmond, Microsoft, all those things, so people are

0026

1 moving a little bit out to Monroe. And then now when they come  
2 back to work or they come from -- to do business, it's not easy.  
3 There is traffic, big traffic on 520, Your Honor. And using a  
4 shuttle is safe, reliable, and the lowest fare they can get. I  
5 think that will solve a lot of things.

6 JUDGE PEARSON: Okay. Thank you.

7 THE WITNESS: Yeah.

8 JUDGE PEARSON: Do you have anything further?

9 THE WITNESS: I think that's it, but I have -- other  
10 document have that. I did not -- first, can I bring this to you  
11 or give to --

12 JUDGE PEARSON: I actually received a copy of that.  
13 And I may have received the only copy from the Records Center on  
14 disk, so --

15 (Cell phone rings.)

16 THE WITNESS: Sorry.

17 JUDGE PEARSON: -- I don't need that.

18 So I'll give Staff the opportunity -- I'll let you  
19 silence your cell phone.

20 THE WITNESS: Okay. Sorry. I should have turned off  
21 it.

22 JUDGE PEARSON: And, Mr. Maurou, you will have an  
23 opportunity to ask the other companies questions after they  
24 present their testimony, but right now I'm going to give each of  
25 the parties the opportunity to ask you any questions that they

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1 might have.

2 THE WITNESS: Thank you.

3 JUDGE PEARSON: So, Mr. Fassio, do you have any  
4 questions?

5 MR. FASSIO: Yes, Your Honor.

6

7 C R O S S - E X A M I N A T I O N

8 BY MR. FASSIO:

9 Q. I would like to just come back to each of these three  
10 routes, if I could, and ask you some questions if you could  
11 clarify specifically the service that you've applied for  
12 starting first with the Tulalip casino to downtown Seattle and  
13 then to Sea-Tac Airport.

14 I'm looking at your time schedule that you filed as  
15 part of your application materials. It appears that you're  
16 providing -- or you're proposing to provide a scheduled service;  
17 is that correct?

18 A. Yes, Michael.

19 Q. Where you would depart at specific times from Tulalip  
20 casino in the morning --

21 A. Yes.

22 Q. -- and throughout the day, it looks like about every  
23 two hours --

24 A. Yes.

25 Q. -- is that correct?

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1 A. Yes.

2 Q. And then from there, according to the application  
3 materials, you describe a route that takes you down and stops at  
4 Westin hotel?

5 A. Yes.

6 Q. And you make a scheduled stop at The Westin hotel; is  
7 that correct?

8 A. Yes, Michael.

9 Q. Okay. And that is approximately an hour later --

10 A. Yes.

11 Q. -- from your departure in Marysville?

12 A. Yes.

13 Q. And then you have a scheduled arrival time at Sea-Tac  
14 Airport?

15 A. Yes.

16 Q. Okay. You've testified as to customers that would be  
17 traveling from the -- perhaps from the cruise ship terminals in  
18 downtown Seattle and need transportation.

19 Do you understand, though, that the application that  
20 you filed would not allow you to stop at the cruise ship  
21 terminals and pick up those passengers?

22 A. Yes.

23 Q. So how about how far away are the cruise ship  
24 terminals? I believe it's Pier 66 you cited and Pier 91.

25 How far away are those from The Westin hotel?

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1           A.       With traffic, when you pick somebody from downtown,  
2 it -- first, it depends when they -- because people go to cruise  
3 ship from ten a.m. up to two o'clock because the ship -- the  
4 ships leave by four o'clock. So --

5                    JUDGE PEARSON: Mr. Maurou, can you speak into the  
6 microphone more closely?

7                    THE WITNESS: Oh, okay.

8                    JUDGE PEARSON: Thank you.

9                    THE WITNESS: Yeah. I was saying, Michael, from  
10 downtown, if there is no traffic to get to Pier 66, I'm going to  
11 say 10 to 15 minutes to Pier 66. And for Pier 91, it will take  
12 a little bit longer, another extra five minutes if there is no  
13 traffic.

14                   And most of the time from my experience, people love  
15 leaving their hotels from ten a.m., eleven, twelve, one o'clock,  
16 but not later -- not later than two o'clock.

17 BY MR. FASSIO:

18           Q.       Okay. I guess my question for you is: Are you  
19 testifying that you expect that those customers that are leaving  
20 from the piers would use your service departing from The Westin  
21 hotel to get to Sea-Tac Airport? Would they actually walk,  
22 drive, take themselves from the piers to get your service at The  
23 Westin to pick up that airport shuttle; is that your testimony?

24           A.       Yes. When they going -- I said they leave hotel from  
25 ten o'clock, right? But when they coming back, the ships start

0030

1 loading from 7:30, 7:30 or eight o'clock a.m., so it's kind of  
2 early morning. So from there, they may need to come to Westin  
3 or any other hotels or -- it's spread out. That can be downtown  
4 or Sea-Tac, around Sea-Tac, what's called Sea-Tac hotel, but now  
5 we're talking about downtown.

6 So people may need to come to Westin, and they may  
7 request our service also from Westin to the airport or back to  
8 the ship. So it is really -- it is spread out.

9 So I guess what I'm finding the need of service.  
10 People really need service. It's very -- it's spread out. You  
11 know, it's kind of busy.

12 Q. Okay. But you're not asking for authority here to  
13 provide service between the piers to the The Westin hotel?

14 A. What I was requesting is -- honestly, I don't know if  
15 I need a specific license to go to pier. Honestly, I don't  
16 know. Why? I have seen people; you know, limousines. They go  
17 to piers to pick up and drop off. And Shuttle Express is there.  
18 They know.

19 So, honestly, I don't know, or I don't know that I  
20 will need a specific license to transport people from Westin or  
21 any hotel in downtown to the pier or from pier to those hotels  
22 or from pier to the airport. Honestly, I don't know that I will  
23 need, you know, a specific license. Why? For me having what's  
24 called "DOT," and then Washington Utility Commission  
25 authorization, I will be able to, you know, pick up anywhere in

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1 Washington and drop anywhere. That's how I think, and that's  
2 how I believe.

3 But, honestly, once again, I don't know that I will  
4 need a special permit to go to pier.

5 Q. Okay. Well, you may need to just discuss those  
6 issues with the City of Seattle. And if you have specific  
7 questions about whether that authority in the City applies to  
8 the Commission, there are people at the Commission that can  
9 assist you with that.

10 But today you have not applied for authority to  
11 provide service within the City. That may be exempted under --  
12 an exempted service from the Commission regulation, but I wanted  
13 to just clarify for you because you've testified as to the need  
14 for service and it's not being provided from the piers, that you  
15 actually would be picking those people up at Westin hotel and  
16 then going to the airport?

17 A. Right.

18 Q. All right. And what is the capacity of those vans  
19 that you would be using on that route?

20 A. Say again?

21 Q. What is the capacity? How big are the vans?

22 A. Right now, as I said, it's a small company. I am  
23 just at the beginning, so the capacity of one van that I'm using  
24 now?

25 Q. Well, to clarify, how many seats are in that?

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1 A. For the -- one can fit up to 11 people with luggage.

2 Q. Okay. Let me turn next to the second -- let's see --  
3 the Snoqualmie Casino to Sea-Tac route.

4 Can you describe that service for me, too? I'm  
5 looking at your application materials.

6 Is that a scheduled service as well?

7 A. Yes, Michael.

8 Q. So you're proposing to pick up people at the  
9 Snoqualmie Casino --

10 A. Mm-hm.

11 Q. -- on set times and then transport them to Sea-Tac  
12 Airport at set times and then pick up at Sea-Tac and take them  
13 at particular times; is that correct?

14 A. Yes, Michael.

15 Q. The third route that it appears you're seeking  
16 authority for is for Monroe, and, particularly, the Best Western  
17 in Monroe to Sea-Tac Airport?

18 A. Mm-hm.

19 Q. Is that also a scheduled service?

20 A. Yes, Michael.

21 Q. So you're also picking up at particular times?

22 A. Yes.

23 Q. On a set route and set schedule?

24 A. Yes.

25 Q. And that's also described in your application in the



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1 time schedule?

2 A. Yes.

3 MR. FASSIO: I think that's all the questions I have  
4 at the moment, Your Honor.

5 JUDGE PEARSON: Okay. Thank you.

6 And does Airporter Shuttle have any questions?

7 MR. JOHNSON: Yes, please. Thank you.

8

9 C R O S S - E X A M I N A T I O N

10 BY MR. JOHNSON:

11 Q. Sani, I'm going to ask you a couple of questions  
12 about the Marysville service and also about the North Bend  
13 service, okay?

14 A. Yes.

15 Q. In Marysville, where are you wanting to pick up  
16 passengers?

17 A. Thank you so much for your question.

18 Is that Mark? Is that --

19 Q. Richard.

20 A. Richard. Sorry. Richard. I want to pick up from  
21 Tulalip casino and a few -- some hotels around.

22 Q. So primarily the Tulalip casino?

23 A. Right. And then what's called -- Seattle outlet mall  
24 is also busy, and so sometimes people need -- they're going back  
25 to downtown Seattle, or they may need even further, which is

0034

1 like airport or something like that.

2 Q. So you're proposing a scheduled service which means  
3 you'll depart those locations at a specific time.

4 What are the times that you're intending to depart?

5 A. Let me double-check here. I have a...

6 JUDGE PEARSON: Mr. Maurou, can I just remind you to  
7 speak into your microphone?

8 THE WITNESS: Oh, okay. Okay. So let me quickly see  
9 the schedule, okay, Richard?

10 (Witness reviews documents.)

11 I'm sorry. Richard, I don't have a copy here, but I  
12 did submit to UTC.

13 BY MR. JOHNSON:

14 Q. Yes.

15 A. I did submit it to the UTC.

16 Q. I know you did submit it to the UTC.

17 A. Sorry.

18 Q. But you also have to comment on the adequacy of our  
19 service.

20 Do you know who we are, the name of our company in  
21 Marysville?

22 A. Honestly, I don't know.

23 Q. You don't know that?

24 A. I honestly don't.

25 Q. Do you know the schedule that we run out of

0035

1 Marysville?

2 A. No, I don't know.

3 Q. You don't know that?

4 A. Yes.

5 Q. Can you comment, therefore, on the adequacy of our  
6 service?

7 A. Say again?

8 Q. Can you comment on the adequacy of our service out of  
9 Marysville?

10 A. Honestly, I have no clue.

11 Q. No?

12 A. Yes.

13 Q. Okay. You cannot comment on that?

14 A. Yes.

15 Q. Okay. So when you get down to Sea-Tac, you're taking  
16 people down to Sea-Tac.

17 Where at Sea-Tac are you departing from bringing  
18 people back to the Tulalip hotel?

19 A. I will depart from Door 0; Door -- you know, I will  
20 depart from Door 0.

21 Q. Thank you. From Door 0?

22 A. Right.

23 Q. 00.

24 A. Right.

25 Q. And at what times will you depart from Door 00?

0036

1 A. Well, once again, I don't have the schedule with me.

2 Again, sorry.

3 Q. You don't have that schedule?

4 A. Yeah.

5 Q. Are you familiar with the times that we depart Door

6 00 --

7 A. Oh, no. I don't know what time.

8 Q. -- to Marysville?

9 A. No.

10 Q. You're not?

11 A. Yes.

12 Q. Can you comment on the adequacy, therefore, of our  
13 service between Sea-Tac and Marysville?

14 A. Once again, Richard, I told you I have no clue  
15 because I don't even know that you exist. So I'm -- I'm sorry.  
16 The only company I know is Shuttle Express --

17 Q. Sure.

18 A. -- you know, because they have been -- you know, they  
19 have been here for a long time, but the problem we're having now  
20 is that's -- that's a big field, you know, so I don't --  
21 honestly, I don't even know that you exist, Richard.

22 Q. Sure. Okay. So that's about our -- our I-5 service  
23 that we provide 11 roundtrips a day --

24 A. Okay.

25 Q. -- between Marysville and Sea-Tac; back and forth 11

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1 times.

2 So let me ask you about your North Bend service;  
3 North Bend to Sea-Tac service.

4 Where are you picking up in North Bend?

5 A. North Bend, as I said, what I'm planning is Seattle  
6 outlet.

7 Q. The outlet mall?

8 A. Yes.

9 Q. Yes.

10 A. And then the casino.

11 Q. Mm-hm.

12 A. And, you know, there's also hotel there, and there  
13 are other hotels around. And even people may call, and I have  
14 received calls. People may call from their house around.

15 Q. Are you applying for a scheduled service permit  
16 between North Bend and Sea-Tac Airport?

17 A. Yes.

18 Q. Okay.

19 A. Yes.

20 Q. And what times are you planning to depart North Bend  
21 for Sea-Tac?

22 A. Once again, I don't have the schedule with me here.  
23 I'm sorry.

24 Q. Okay.

25 A. I have it with the Commission.

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1 Q. Pardon me?

2 A. I have it; I have the schedule with the Commission.  
3 I don't have it with me here. And I don't -- I don't want to  
4 give you the wrong answer.

5 Q. No. I think my question is if one is running a  
6 scheduled service, you should know automatically what the  
7 schedule is.

8 A. Yes. That's why I'm saying: I don't want to give  
9 you the wrong answer, so I...

10 Q. Okay. So let's talk about Sea-Tac Airport. You're  
11 departing Sea-Tac Airport.

12 Where will you depart from at Sea-Tac Airport for  
13 North Bend?

14 A. I told you I will depart from Door 00.

15 Q. 00 as well?

16 A. Yes, yes.

17 Q. And then you're not sure again what schedule you'll  
18 depart from --

19 A. Yes. I...

20 Q. -- to North Bend?

21 A. I don't have the schedule with me right now.

22 Q. Okay. And are you familiar with any other companies  
23 who provide that service?

24 A. I think there's a company which provides service for  
25 kind of southbound from Seattle, going to Bremerton, over there,

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1 but I'm not interested to -- in those area, Bremerton. It's out  
2 of my interest. And I am interested to north and Seattle and  
3 around Seattle because there are a lot of concentration.

4 Q. So are you not planning, then, to apply for scheduled  
5 service between Sea-Tac and North Bend?

6 A. No, no, no.

7 Q. You are?

8 A. You're asking me if I am familiar with other  
9 services?

10 Q. Yes.

11 A. And I told you, yes. I know there is a company which  
12 provides service from airport to Bremerton and -- what's it  
13 called? -- Bainbridge. All those. Anyway, south from Seattle,  
14 which means --

15 Q. So just to clarify.

16 A. But I'm not -- I am not -- once again, I am not aware  
17 of your company.

18 Q. Okay. So you're making an application, then, for a  
19 scheduled service permit between Sea-Tac Airport and North  
20 Bend --

21 A. Yes.

22 Q. -- is that correct?

23 A. Yes.

24 Q. Okay. And you're not sure of the name of the company  
25 of -- the name of the company that provides that service right

0040

1 now?

2 A. Yes.

3 Q. Are you unable, then, to comment on the adequacy of  
4 that service?

5 A. Once again, first, I don't even know if there is  
6 service, and I don't -- I don't think I will be able to comment.

7 Q. No. If you're not familiar with it, you couldn't.  
8 No, I'd agree.

9 A. Once again, I don't even know that there is service  
10 going there because people have been calling me from that area  
11 to service them. And I have one copy of one of them, but sorry  
12 I didn't submit that. But I have it here. He's been using me  
13 for ten years. He send me e-mail.

14 Q. Do you know the meaning of an overlapping service?

15 A. Say again?

16 Q. The meaning of an overlapping service?

17 A. Yeah. Overlapping service is -- for me I think  
18 overlapping service is somebody provide -- somebody is providing  
19 a service and then you come and provide the same service, right?

20 Q. Correct; yeah, that's what I would say as well.

21 A. Okay.

22 Q. Are you familiar with any other service between  
23 Sea-Tac and North Bend?

24 A. No. I've been saying no.

25 Q. Okay. There is a service.



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1           A.       Yeah. I've been saying no, because you keep asking  
2 me the same questions.

3           Q.       Well, I'm just wanting to clarify.

4           A.       I've been saying no.

5                    And once again, I have what's called a -- if you  
6 don't mind, I can give you what's called -- that's his e-mail.  
7 If you don't mind, I can give you his e-mail. He's been using  
8 me more than ten years.

9                    And I ask him, Do you know any other company?

10                   He say, No.

11                   So people have -- and the people keep calling me.  
12 Even I can show you my cell phone right now.

13           Q.       May I go back to the North Bend question?

14           A.       Yeah, yeah.

15                   So to be honest, I don't know nothing about it. If I  
16 know, I would say I know.

17           Q.       Okay.

18           A.       I don't have a problem saying if I know.

19                   So I have e-mail; do you want to read it? He's been  
20 using me ten years. He doesn't even know any other service.

21           Q.       I wanted to make sure, Sani, that you understood  
22 the -- what an overlapping service is, and you clearly defined  
23 it.

24           A.       Yes, yes, yes.

25           Q.       And that was my only part of the question.

0042

1 A. Oh, yes.

2 Q. Do you understand what you're applying for?

3 A. Yes, yes.

4 Q. And you don't understand that it's an overlapping  
5 service that you're applying for?

6 A. Overlapping? As I explain it, somebody's providing  
7 something, and you come and do the same thing, right? That's  
8 what we call "overlapping."

9 But in this case, people -- I mean, the demand is too  
10 high, okay? And so in that case, I don't see overlapping as  
11 problem. I see overlapping as solving problems.

12 And I don't know. Can I ask you how many years I've  
13 been -- you have been in the business?

14 Q. You sure could. I don't know the relevance.

15 A. Oh, okay.

16 Q. Far more than 15.

17 A. Okay. So I expect you to know that that's huge area.  
18 You see every day people wake up. They don't sleep at -- they  
19 sleep at two. But when they wake up, they have to go out. They  
20 have to work. They have to go to the hospital. They have to  
21 travel. That's too many -- it's -- so...

22 Q. Sani, I'm getting a little frustrated to tell you the  
23 truth. You know, you're talking about very broad needs of the  
24 market. I think we all agree there's needs in the market.

25 A. Okay.

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1 Q. But, presently, they're being served.

2 A. Okay.

3 Q. They're being served by our two companies on a  
4 scheduled service almost identical to what you're proposing.

5 A. Okay.

6 MR. JOHNSON: That's the end of my questions.

7 THE WITNESS: Okay.

8 JUDGE PEARSON: Okay. Thank you.

9 And does Shuttle Express have any questions?

10 MR. MARKS: Yes, Your Honor.

11

12 C R O S S - E X A M I N A T I O N

13 BY MR. MARKS:

14 Q. I do you have some clarification for you, Mr. Maurou.

15 A. Yes.

16 Q. You have stated both the specific locations, the  
17 Seattle outlets, the Tulalip casino, The Westin hotel, and  
18 Sea-Tac Airport as one route, as well as going to Snoqualmie  
19 Casino?

20 A. Right.

21 Q. But you've also said that some passengers call you  
22 and ask you to go to a certain address at their homes in those  
23 areas and you'd pick them up there as well to take them on these  
24 routes?

25 A. Of course. Why not?

0044

1 Q. You understand that for the scheduled service you  
2 have named locations and named travel times, so I'm confused.

3 Are you operating and requesting to operate  
4 door-to-door service where you pick up at a passenger's address,  
5 or a scheduled service from a specific point and a specific  
6 time?

7 A. When I say -- thank you so much.

8 Is that Mark?

9 Q. Wesley.

10 A. Oh, Wesley. Sorry. I don't know.

11 So, Wesley, when I talk about those people calling  
12 from a house, I'm trying to fill the need of service. Those  
13 people coming from home. If you have a scheduled time --  
14 actually, when they call, you can tell them I leave from that  
15 point, and then they will drive to meet you there.

16 So I'm trying to justify the needs of -- you know, of  
17 people.

18 Q. So would you pick up and drop off in the specific  
19 locations only, or would you also pick up and drop off at  
20 doctor's offices, residences --

21 A. No.

22 Q. -- and other locations?

23 A. No, no, no. I won't do that.

24 What I have applied is just pick up people from one  
25 location to the airport.

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1 Q. And it would be just those people --

2 A. Right.

3 Q. -- that you picked up at the one location and go  
4 directly to the other stops on that route?

5 A. Right. So when they call, you tell them, I pick up  
6 here for -- in your area. I will pick up -- I will pick  
7 up people from these points so they give the other. They will  
8 come. They have people to drop them off easily. And some, if  
9 it's not far, they can even walk or something like that. I'm  
10 not planning to go to their house. But when I say that, I was  
11 trying to show the needs of service for people.

12 Q. Okay. And it also sounds like you're currently  
13 operating some services to people? You had that passenger that  
14 you said that's used you for ten years?

15 A. Yes.

16 Q. What type of service do you provide to him currently?  
17 I don't believe you carry any certificates or licenses.

18 JUDGE PEARSON: I'm just going to interject that  
19 we're not here to talk about the Applicant's fitness here today.

20 MR. MARKS: Oh, okay. Sure.

21 JUDGE PEARSON: So keep the questions focused on the  
22 service that's being provided and the adequacy of it.

23 MR. MARKS: Sure.

24 BY MR. MARKS:

25 Q. I have a question about your time schedules. Time

0046

1 Schedules 1, 2, and 3, one thing I noticed is that they do all  
2 overlap. I note for Time Schedule 1 from Marysville to Sea-Tac  
3 Airport, you show leaving Marysville at nine a.m. and also  
4 departing Sea-Tac at nine a.m. to Marysville; Time Schedule 2  
5 shows leaving Snoqualmie Casino at nine a.m. and also departing  
6 Sea-Tac Airport for Snoqualmie Casino at nine a.m.; Time  
7 Schedule 3 also shows departing Monroe at nine a.m. for Sea-Tac  
8 Airport and departing Sea-Tac Airport from Monroe at nine a.m.,  
9 and your intent is to operate all of those routes at the same  
10 time, both directions concurrently, as the schedule described,  
11 correct?

12 A. Yes.

13 Q. So six routes with a round-trip both at the same  
14 time?

15 A. Yes.

16 Q. And also on Time Schedule No. 1, you have from --  
17 Marysville to Sea-Tac is described as 50 miles; you also have  
18 Seattle to Sea-Tac as 15 additional miles.

19 Is that intended to stop? Is it Marysville to  
20 Seattle, Seattle to Sea-Tac, or is it Marysville to Sea-Tac and  
21 Seattle to Sea-Tac?

22 A. What I'm planning is I will stop in downtown Seattle  
23 and at Westin and then continue.

24 Q. So it will be intermediary stop --

25 A. Right.

0047

1 Q. -- Marysville to Sea-Tac -- I'm sorry. -- Marysville  
2 to Seattle --

3 A. Right.

4 Q. -- to The Westin hotel --

5 A. Right.

6 Q. -- and Seattle back to Sea-Tac Airport?

7 A. Right.

8 MR. KAJANOFF: Just a clarifying question.

9

10 C R O S S - E X A M I N A T I O N

11 BY MR. KAJANOFF:

12 Q. You keep talking about North Bend outlet mall, but as  
13 I read this it's Snoqualmie Casino to -- between Snoqualmie  
14 Casino and Sea-Tac International, so the North Bend outlet mall  
15 is not officially on this filing?

16 A. Mm...

17 Q. So has it become a three...

18 A. I thought -- yes, yes.

19 Q. Is it a three-stop?

20 A. My plan, what I'm planning, Mark, right? Mark,  
21 right? What I'm planning is from -- from North Bend from  
22 Seattle -- okay.

23 I have three routes. One route is Snoqualmie to the  
24 airport. There's no stop. And the second route is from Monroe  
25 to the airport. There is no stop. Okay. And then the third

0048

1 route is from Tulalip casino to the airport, but you stop -- one  
2 stop at Westin.

3 Q. At -- I'm sorry -- where?

4 A. One stop at Westin. I mean, the third -- the third  
5 route will be from Tulalip casino and the Seattle outlet because  
6 they are -- they are -- you know, they are close to each other.

7 Q. So it's essentially a three-stop?

8 A. Yes.

9 Q. But this only shows two?

10 A. So from there -- from there -- from Tulalip casino I  
11 will stop -- I will make only one stop in downtown, which is  
12 Westin, and then after Westin, straight to the airport.

13 Q. Okay. But just to clarify, you plan to stop at the  
14 outlet malls in North Bend?

15 A. Oh, yes, yes, yes.

16 Q. And that's not listed in your filing?

17 A. No. When I was talking, I was talking -- when I was  
18 explaining to the Judge, I was trying to show that there are a  
19 lot of people coming to the mall for shopping, and they need to  
20 go to the airport or they need to go to downtown Westin.

21 Q. I understand that.

22 A. Okay. So those people...

23 Q. But your filing says between two points?

24 A. Yes, yes.

25 Q. And you've just said you're adding a third point into



0049

1 your filing. I just want to clarify that that's what you're  
2 saying.

3 A. I agree with you. I agree with you.

4 But once again, let me make it clear, Mark. When I  
5 was talking to the Judge, I include it to show that people are  
6 in need, so those people when they call, I will direct them  
7 my -- my pickup is what's called "Tulalip casino." They can  
8 walk. It's like a three-minute walk. They are close to each  
9 other and they can walk. And then from there, I take them to my  
10 first stop, stop being in The Westin in downtown. And then  
11 after The Westin, I just go to the airport. This is my plan,  
12 okay?

13 Q. No, I understand your opinion. I'm just looking at  
14 the fact --

15 A. Yeah; yeah --

16 Q. -- if it's a two- --

17 A. -- I agree. I agree.

18 Q. -- it's a two-stop on the route that you have listed?

19 A. No. From Tulalip casino?

20 Q. It says Snoqualmie Casino and Sea-Tac International.  
21 I do not see the outlet stores in North Bend, and there is a  
22 four-mile difference between those two locations.

23 A. I'm talking Seattle outlets next to Tulalip casino.

24 Oh, okay. I see where you are coming from.

25 Don't get confused with the outlets at North Bend.

0050

1 No, no, no. I'm not planning to stop. I have nothing there.

2 I'm talking about outlet, Seattle outlet. The one  
3 which is next to what's called "Tulalip casino."

4 Q. Oh, so...

5 A. You go past -- that's in Marysville.

6 Q. Oh. You're talking about the outlet stores in  
7 Marysville?

8 A. There we go. I'm not talking about the outlet, the  
9 Seattle outlet --

10 Q. So you have a third stop on that one, then? I'm just  
11 clarifying.

12 A. Yes. First, I want you to not get confused with the  
13 mall -- the Seattle outlet mall, which is at the North Bend  
14 that's east of Seattle. This is Seattle here, and then you take  
15 I-90. And I don't know exactly the exit, Exit 22, you will get  
16 off. There's North Bend, and there is a mall, Seattle --  
17 Seattle mall.

18 I'm not talking about that mall, no, no. I have  
19 nothing do. I'm talking about the mall when you take I-5  
20 from -- I-5 North from downtown. You go past Everett, and then  
21 you go to Marysville. When you out of Marysville --

22 Q. So the North Bend mall you're referring to is your  
23 first route where you have Tulalip casino resort in Marysville?

24 A. Thank you so much. That's where I will depart from  
25 north. That's where I want to depart.

0051

1 Q. Oh. And then you will go from the --

2 JUDGE PEARSON: I'm going to stop you right there,  
3 okay? I heard Mr. Maurou say that at the Tulalip casino route  
4 he would have people walk over from those malls, and that in  
5 North Bend, he's not proposing the outlet malls --

6 MR. KAJANOFF: I just...

7 JUDGE PEARSON: -- as a stop.

8 MR. KAJANOFF: I just wanted to clarify --

9 JUDGE PEARSON: So I think this has been clarified.

10 MR. KAJANOFF: -- he's only making stops at the  
11 locations presented.

12 JUDGE PEARSON: And I think he's said that, so if you  
13 want to move on.

14 Do you have any further questions?

15 MR. KAJANOFF: No. I wanted to clarify that piece.  
16 I'll let...

17 MR. MARKS: Thank you, Your Honor.

18 JUDGE PEARSON: Okay. Thank you.

19 Okay. Airporter Shuttle, would you please stand and  
20 raise your right hand? I'll place you under oath before you  
21 give your testimony.

22

23 RICHARD JOHNSON,

24 witness herein, having been first duly sworn on oath, was

25 examined and testified as follows:

0052

1 JUDGE PEARSON: Okay. Please state your name and  
2 address for the record and spell your last name for the court  
3 reporter.

4 THE WITNESS: It's Richard Johnson; J-o-h-n-s-o-n.  
5 Address: 1416 Whitehorn Street, Ferndale, Washington 98248.

6 JUDGE PEARSON: And your phone number and e-mail  
7 address?

8 THE WITNESS: 360.543.9369. E-mail is  
9 richard@airporter.com.

10 JUDGE PEARSON: Okay. And, Richard, what position do  
11 you hold with the Company?

12 THE WITNESS: President.

13 JUDGE PEARSON: Okay. Thank you.

14 THE WITNESS: I'm also representing CWA, Inc., which  
15 holds the authority to run between North Bend and Sea-Tac.

16 JUDGE PEARSON: Did I see that in the paperwork that  
17 you filed?

18 THE WITNESS: I don't know.

19 JUDGE PEARSON: Did you reference that?

20 THE WITNESS: I'm not sure.

21 JUDGE PEARSON: It's not ringing a bell that there  
22 was any reference to another company's authority in your  
23 objection that you filed.

24 THE WITNESS: It's been a while. I don't remember  
25 what I wrote at this point; if I talked about that or not.

0053

1 JUDGE PEARSON: I only see a reference to Airporter  
2 Shuttle.

3 THE WITNESS: Well, Airporter Shuttle is the d/b/a  
4 for both the I-5 and the I-90 Airporter.

5 JUDGE PEARSON: Okay. So then I'll have you limit  
6 your testimony to that today since there was no information  
7 submitted about the other company.

8 THE WITNESS: So limit to I-5 discussion, then?

9 JUDGE PEARSON: It looks like you only addressed the  
10 Tulalip route; the Tulalip to Sea-Tac route.

11 THE WITNESS: Okay.

12 JUDGE PEARSON: Okay?

13 THE WITNESS: Yep.

14 JUDGE PEARSON: So given that, I think that  
15 Mr. Maurou has conceded that he is proposing to offer  
16 overlapping service.

17 If you want to just briefly, very briefly address the  
18 service that is offered by Airporter 24 and how that overlaps  
19 with what he's proposing, but then focus most of your testimony  
20 on the adequacy of the service that's currently being provided.

21 THE WITNESS: Certainly, yeah.

22 So Airporter Shuttle has been in business now for  
23 over 25 years. We start up at the Canadian border and come all  
24 the way down to Sea-Tac. Our last stop is at Marysville and is  
25 also at the Tulalip Inn.

0054

1           We perform 11 southbound trips a day and 11  
2 northbound trips a day. The southbound, as I mentioned, leaves  
3 from the Tulalip hotel and convention center exactly where  
4 you're proposing, and at Sea-Tac Airport, we depart from Door 00  
5 in exactly the same location as you do.

6           When I reviewed your time schedule, a lot of your  
7 times were overlapping with our southbound times and, similarly,  
8 when you headed north out of Sea-Tac, a lot of those times  
9 overlapped with our times.

10           While I think it's easy to find individuals to  
11 comment on an Airporter's need, I think it's very difficult to  
12 look at the broad market and determine a need. And that's what  
13 I would like to comment on now as to why our airporter business  
14 is very adequate for the people of Marysville.

15           Our growth has been enormous out of Marysville.  
16 We're now carrying over 25,000 people a year between those two  
17 points, Sea-Tac and Marysville. And the growth just over the  
18 last, oh, probably three years has been in excess of 20 percent.

19           There's no way with those kind of numbers could the  
20 Commission, I think, conclude that we're doing anything but  
21 satisfying the market. Very strong numbers.

22           Comments from customers, we've not heard a negative  
23 comment, at least one that's been made to the UTC, for years and  
24 years.

25           So you asked if I'd make very brief comments. I

0055

1 think those would be my comments; that we're providing a great  
2 scheduled service. It's an overlapping authority, which you've  
3 agreed you're proposing to provide, and our passenger counts  
4 continue to grow exponentially. Thank you.

5 JUDGE PEARSON: Okay. Thank you.

6 Mr. Maurou, do you have any questions for  
7 Mr. Johnson?

8 MR. MAUROU: Yes.

9

10 C R O S S - E X A M I N A T I O N

11 BY MR. MAUROU:

12 Q. Mr. Johnson, let me go to your file quickly.

13 A. Could you speak in the microphone?

14 Q. Oh, yes. Okay.

15 A. I didn't hear what you said there.

16 Q. Yeah. I just want to go to your file; find your  
17 file.

18 Okay. I'm going to just...

19 MR. MAUROU: I'm going to quickly read, Your Honor,  
20 some part of his files that I have received.

21 (As read): "Dear Mr. King: We urge you to deny the  
22 application made by Sani Mahama Maurou dba Seatac Airport 24 to  
23 provide scheduled Airporter Shuttle service."

24 And somewhere he said "on a modern fleet of vehicle,"  
25 and it is in red.

0056

1 BY MR. MAUROU:

2 Q. And you say you provide one -- 140,000 passenger each  
3 year, right, Richard?

4 A. What was your question, please? How many passengers?

5 Q. Have you heard my reading where you urge to deny the  
6 application made by Sani Mahama Maurou, d/b/a Seatac Airport 24,  
7 to provide scheduled airporter shuttle service, and then  
8 somewhere you did write on (as read): "11 round trips, on a  
9 modern fleet of vehicle," and it is in red. And it's -- I don't  
10 know.

11 Can you explain to me why you "call modern fleet of  
12 vehicle" and -- but this is my question, and the second  
13 question: You said you provide 140,000 passenger each year.

14 Do you have proof of that?

15 JUDGE PEARSON: Okay. Mr. Maurou, let's do the  
16 questions one at a time.

17 MR. MAUROU: Oh, okay.

18 JUDGE PEARSON: And I'm not going to allow the first  
19 question --

20 MR. MAUROU: Okay.

21 JUDGE PEARSON: -- because the reference to the fleet  
22 of vehicles again goes to...

23 MR. MAUROU: Right. Okay. No problem.

24 BY MR. MAUROU:

25 Q. So why do you call it by "modern fleet of vehicle,"



0057

1 Richard?

2 A. Well, the Judge just said that I wasn't to answer  
3 that question.

4 JUDGE PEARSON: He doesn't need to define that.

5 MR. MAUROU: Oh, okay.

6 JUDGE PEARSON: It speaks for itself.

7 MR. MAUROU: Oh, okay.

8 JUDGE PEARSON: Let's go to the 140,000 passengers,  
9 and your question is how can he prove that they serve 140,000  
10 passengers --

11 MR. MAUROU: Yes.

12 JUDGE PEARSON: -- is that correct?

13 MR. MAUROU: Yes, Your Honor.

14 JUDGE PEARSON: Okay.

15 Mr. Johnson?

16 THE WITNESS: Certainly, Your Honor. Our business  
17 takes -- operates by reservation only, and so we have passenger  
18 count data that are stored in our database. The data comes off  
19 of trip sheets and also is reconciled against the reservations  
20 customers made, so it's very audit-proof. The numbers are what  
21 the numbers are.

22 BY MR. MAUROU:

23 Q. So do you have copies, something showing that,  
24 refuting that, that I can see?

25 A. Oh, you'd be looking at thousands of pages.

0058

1 Q. So, honestly, I -- to be honest, I don't know how I  
2 can believe you.

3 A. Well...

4 Q. And...

5 A. You know, every year...

6 Q. Okay.

7 A. Every year the UTC asks us to file our annual report.  
8 And the bottom of the annual report we're obliged to sign that  
9 we represent the information we provided is a hundred percent  
10 truthful, and so I prepare that document and sign it every year.

11 Q. Okay.

12 A. So you're asking if we're honest in our reports to  
13 the UTC, and I can only answer yes, we are.

14 Q. Okay. And do you know how many people travel every  
15 year at Sea-Tac Airport?

16 A. No.

17 Q. No. Okay. Thank you.

18 JUDGE PEARSON: Thank you.

19 Does Staff have any questions for Airporter 24?

20 MR. FASSIO: Or for --

21 THE WITNESS: Wickkiser; for Airporter Shuttle?

22 MR. FASSIO: -- Wickkiser International?

23 JUDGE PEARSON: Sorry.

24 THE WITNESS: That's all right.

25 MR. FASSIO: Yes. Before I do, I did provide copies

0059

1 to the other parties and Your Honor of four documents that we  
2 would ask the Commission to take official notice of. I'll  
3 describe those briefly. I think they may be helpful for some of  
4 the few clarifying questions that I would have.

5 The first is Shuttle Express's Auto Transportation  
6 Certificate No. C-975; the second is Shuttle Express's Tariff 11  
7 for that certificate which describes the services and includes  
8 their time schedule; the third document is Wickkiser  
9 International's certificate, C-933; and the fourth is  
10 Wickkiser's tariff, No. 9, for Certificate C-933, which  
11 describes their services and includes their time schedule.

12 I have a couple of clarifying questions for  
13 Mr. Johnson, and probably also for Shuttle Express as well. But  
14 in advance of doing that, because I provided copies for the  
15 parties, I would ask the Commission to take official notice of  
16 those documents.

17 JUDGE PEARSON: Okay. And I will take administrative  
18 notice of those documents.

19

20 C R O S S - E X A M I N A T I O N

21 BY MR. FASSIO:

22 Q. So, Mr. Johnson, if I could ask you just to  
23 clarify -- or perhaps you can maybe direct us in your tariff and  
24 time schedule to where it describes the service that you  
25 currently are authorized to provide between Marysville and

0060

1 Sea-Tac just for clarification of the record. You can take  
2 whatever time you need.

3 A. Well, sure. I think the best clarification is to  
4 look at the schedule we've got on page -- well, I'm just going  
5 to count the pages back in your attachment so we can get there.  
6 It's on page 9. It's a spreadsheet that shows what our  
7 timetable is.

8 Mr. Fassio, it's this document here if you're  
9 (indicating)...

10 Q. Oh, okay.

11 MR. MARKS: I believe it's "9th Revised Page 15."

12 MR. FASSIO:

13 Q. "9th Revised Page 15"; is that...

14 A. Thank you. Yeah.

15 Q. Okay.

16 A. I still can't see that, but that's what my glasses  
17 are for.

18 Q. So you've testified that you provide a scheduled  
19 service and that's by reservation only; is that correct?

20 A. Correct; yeah.

21 Q. Okay. And --

22 A. For most stops.

23 Q. For most stops?

24 A. Yeah.

25 Q. Now, between Marysville and Sea-Tac, do you stop in

0061

1 Seattle? Do you have a stop in Seattle as well?

2 A. A couple times a day we do --

3 Q. Okay.

4 A. -- at the Convention Center.

5 Q. And that takes about -- just looking at this, it's  
6 about -- an hour and ten minutes is your travel time between --  
7 that stop in Marysville and the stop at Sea-Tac?

8 A. The actual travel time is substantially less than  
9 that. We put that in in case of traffic. And so we want to be  
10 at least early for our guests rather than late, and so,  
11 typically, southbound at most times of the day it's under an  
12 hour. Northbound at certain times of the day, you're probably  
13 close to that, maybe a little over.

14 Q. Okay. And there's been testimony about the stop  
15 being at the Tulalip Resort Casino, and I'm just noticing that  
16 on that "9th Revised Page 15," down at the bottom it says,  
17 "Tulalip Hotel & Conference Center."

18 Are those the same? Is that another name for the  
19 same place that we're talking about --

20 A. Yeah. It's a very...

21 Q. -- when we speak about Tulalip Resort Casino?

22 A. Yes.

23 Q. Okay.

24 A. Yeah. It's a very large complex, and the hotel is  
25 attached to the casino.

0062

1 Q. Okay.

2 MR. FASSIO: That's the only questions that I had at  
3 this time. Thank you.

4 JUDGE PEARSON: Okay. Thank you.

5 Okay. Shuttle Express?

6 MR. MARKS: No questions, Your Honor.

7 JUDGE PEARSON: If you could stand and raise your  
8 right hand.

9

10 WESLEY MARKS,

11 witness herein, having been first duly sworn on oath, was

12 examined and testified as follows:

13

14 JUDGE PEARSON: Okay. Please state your name and  
15 address for the record, and spell your last name for the court  
16 reporter.

17 THE WITNESS: Sure. My name is Wesley Marks,  
18 M-a-r-k-s. Address is: 800 Southwest 16th Street, Renton,  
19 Washington 98057; and phone number is area code 425.981.7070;  
20 and e-mail is w-m-a-r-k-s @shuttleexpress.net.

21 JUDGE PEARSON: Okay. What position do you hold with  
22 the Company?

23 THE WITNESS: I am the accounting manager.

24 JUDGE PEARSON: Accounting manager. Okay.

25 So I received one exhibit from you in advance, which

0063

1 is an e-mail from an employee at The Westin hotel about the  
2 service you provide from there.

3 THE WITNESS: Yes.

4 JUDGE PEARSON: Are there any objections to  
5 admitting?

6 Did you receive a copy of the e-mail?

7 MR. MAUROU: Yes. I don't really want to comment.  
8 You're talking about the e-mail, right?

9 JUDGE PEARSON: Are you objecting to its  
10 admissibility is what I'm asking.

11 MR. MAUROU: Yeah, I do. I do.

12 JUDGE PEARSON: On what grounds?

13 MR. MAUROU: Once again, I have been -- I just turned  
14 off my cell phone, Your Honor.

15 If I can turn it back, I will show you calls just  
16 yesterday from Westin.

17 JUDGE PEARSON: No. I'm not interesting in looking  
18 at your cell phone.

19 MR. MAUROU: Okay. Right. Right.

20 JUDGE PEARSON: I just want to know if you object to  
21 this e-mail.

22 MR. MAUROU: Yeah. This e-mail, yeah. This  
23 e-mail -- I don't consider, honestly, this e-mail. This is just  
24 a joke. I consider this e-mail as a joke because those -- those  
25 people I am -- I don't want to go completely inside, but those

0064

1 people who have send the e-mail are -- keep on calling me to  
2 come and pick up people. I have people --

3 JUDGE PEARSON: Okay. Did you look at the e-mail?  
4 It's an employee from The Westin hotel.

5 MR. MAUROU: Yes; yes, I did.

6 JUDGE PEARSON: I'm going to go ahead and admit it  
7 into evidence, okay?

8 MR. MAUROU: Okay. No problem.

9 JUDGE PEARSON: And I will mark it as Exhibit WM-1.  
10 (Exhibit No. WM-1 marked and admitted into evidence.)

11 MR. MAUROU: No problem.

12 JUDGE PEARSON: Okay. So, Mr. Marks, you stated that  
13 you have four witnesses.

14 MR. MARKS: We're going to revise that today to just  
15 one, myself.

16 JUDGE PEARSON: To just one. Okay. Great.

17 Okay. So, again, I believe that Mr. Maurou has  
18 conceded that he is proposing to provide overlapping authority  
19 with what your company already provides, so if you could just  
20 briefly address the services that you currently provide and then  
21 provide testimony about the adequacy of that service.

22 THE WITNESS: Absolutely, Your Honor.

23 JUDGE PEARSON: Thank you.

24 THE WITNESS: So as it's already been put on the  
25 record, Shuttle Express currently operates under



0065

1 Certificate C-975, which provides passenger transportation  
2 authority. The main portion of our certificate allows the 25  
3 air miles from Paine Field, Sea-Tac Airport, Boeing Field, and  
4 Renton field. We do operate both scheduled and door-to-door  
5 service in our operating area. We currently operate 18 routes  
6 which operate 24 hours a day, 7 days a week, 365 days a year.  
7 On those 18 scheduled routes, we carry 165,562 passengers in the  
8 2013 year. Our door-to-door service we had 124,000 -- in excess  
9 of 124,000 trips, carrying in excess of 320,000 passengers.

10 We've been operating as Shuttle Express since  
11 approximately 1987, and have operated under our UTC certificates  
12 as such.

13 Also of note, on the UTC website, there are no  
14 complaints for inadequate service for Shuttle Express in its  
15 operating area.

16 Specific to transportation between Sea-Tac Airport  
17 and The Westin hotel, in 2013, we carried 13,502 passengers  
18 between those two points.

19 JUDGE PEARSON: Okay. Thank you.

20 Is that all you have?

21 MR. MARKS: Thank you.

22 JUDGE PEARSON: Okay. Mr. Maurou, do you have any  
23 questions for Shuttle Express?

24 MR. MAUROU: Oh, yes. Mark, I have a lot of  
25 questions for you, but I'm sorry the time is too short.

0066

1 C R O S S - E X A M I N A T I O N

2 BY MR. MAUROU:

3 Q. Honestly, I do appreciate what Shuttle Express does.  
4 You've been there for many years, but, you know and I know you  
5 cannot solve all problems.

6 Do you agree with me or not? Be honest with me and  
7 look at me on -- straight on my eyes.

8 A. Shuttle Express cannot solve every problem.

9 Q. Thank you. I do appreciate it.

10 There are needs, and once again, we can't solve  
11 problem in our state. We don't want to see people -- a lot of  
12 accident on the street, but I appreciate that you ask me to come  
13 over because you don't even know me. Even my mom doesn't know  
14 me, so how do you know me to say, Hey, this guy is not -- you  
15 don't know me. My mom doesn't know me.

16 So I want you -- can you answer the question I asked  
17 to Richard? Do you know how many people travel every year out  
18 of Sea-Tac Airport?

19 A. I do not have those numbers, no.

20 Q. No, you don't? Do you or you don't? Do you or you  
21 don't?

22 A. No. I don't have the numbers for Sea-Tac Airport's  
23 passenger count, no.

24 Q. Okay. Can you give me an approximate?

25 A. I would not be comfortable doing that, no.

0067

1 Q. Okay. But you have been there for many years, right?

2 A. (Witness nods head.)

3 Q. Okay. And I know that you provide tours, you know,  
4 many kind of services, which is amazing. And let's stay with  
5 tours.

6 Do you know how many people run through every day in  
7 our state? Do you have a number? Do you know how many people  
8 need -- just tours -- to take them and show them this green --  
9 Evergreen State?

10 A. I'm sorry. I think that's an arbitrary question  
11 and --

12 Q. Okay. Okay. Thank you. And I will stop there.

13 JUDGE PEARSON: Okay. Thank you.

14 Staff, do you have any questions?

15 MR. FASSIO: Yes, Your Honor. Just a few, I guess,  
16 clarifying questions for Mr. Marks.

17

18 C R O S S - E X A M I N A T I O N

19 BY MR. FASSIO:

20 Q. The Commission has taken official notice of your  
21 tariff and time schedule, so I have just a few clarifying  
22 questions.

23 First, related to the Seattle -- downtown Seattle to  
24 Sea-Tac route. You indicated that you actively provide this  
25 service.

0068

1                   Can you direct us, for the record, to your tariff and  
2 time schedule and just point us to those portions that describe  
3 the service that you're currently providing?

4           A.       Absolutely.

5           Q.       And you can use the -- the pages on the upper  
6 right-hand corner, sometimes the helpful way to refer to those.

7           A.       And for specifically from Sea-Tac Airport to The  
8 Westin hotel?

9           Q.       Yes.

10          A.       2nd Revised Page 36 of Tariff No. 11, on the  
11 center -- I'm sorry. Let's go to the time schedule page.

12                   1st Revised Page 35 has our routes listed from  
13 Seattle to Sea-Tac, as well as routes from Sea-Tac to Seattle.  
14 And they describe our service operating daily April through  
15 September, vehicles leaving Seattle, which is the hotels  
16 downtown on a fixed route -- I'm sorry.

17                   It says, "Vehicles leave every half hour at :20 and  
18 :50 minutes past the hour - 24 hours a day and arrive 65 minutes  
19 later."

20                   Then on the bottom section there, from Sea-Tac  
21 Airport to Seattle, also daily April through September is,  
22 "Vehicles leave every half hour on the half hour - 24 hours a  
23 day and arrive 90 minutes later."

24                   And then, similarly, for the periods October through  
25 March, is a similar schedule with a slightly different time

0069

1 frame, but they operate the same 30-minute frequency.

2 Q. Okay. And that's a scheduled passenger service, and  
3 not a door-to-door service?

4 A. Scheduled between named points only.

5 Q. And is that by reservation only, or is that always --

6 A. It is by reservation only. We accept and create  
7 reservations at the time of travel for passengers as well. They  
8 can walk up, we create a reservation, and put them on the  
9 vehicle at that time.

10 Q. Oh, I see. So you would show up there and if someone  
11 wanted transportation at that time, you'd be ready for them?

12 A. Yes.

13 Q. Okay. The second route at issue today is the  
14 Snoqualmie Casino to Sea-Tac Airport.

15 Can you direct us to the portion of your -- and you  
16 have testified that -- I believe that you provide some service  
17 between those points.

18 Can you direct us to where in your tariff and time  
19 schedule that is shown?

20 A. Sure. We operate that on our door-to-door schedules,  
21 and that is -- the times are listed on "Original Page 6," which  
22 describes door-to-door service is unscheduled, but inside the  
23 description for unscheduled service it also says that (as read):  
24 "Shuttle Express will develop actual routes to balance  
25 passenger's convenience and efficiency. Routes are scheduled

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1 every 15, 20, 30 or 60 minutes from every zip code, depending on  
2 volume with distance" -- "and distance within zip code."

3 Again, for that one, reservations must be made at  
4 least four hours in advance or be subject to vehicle  
5 availability, so with less than four hours' notice, we cannot  
6 guarantee availability of vehicles on those routes.

7 And then on the second following page, "1st Revised  
8 Page 8," begins the ZIP code, city, and base and max fare  
9 listing, as well as whether the waterfront pier service is  
10 authorized for those locations.

11 Q. Okay. And to clarify, it says these are door to  
12 door -- this is door-to-door service and not a scheduled  
13 service, so it's a little different from The Westin hotel to  
14 Sea-Tac; is that correct?

15 A. Yes. From The Westin hotel to Sea-Tac, it is a named  
16 scheduled service location with a fixed point.

17 For Tulalip, it is part of our door-to-door service,  
18 and it is not a named regularly operating time.

19 Q. Okay. Thank you. And the third route that's at  
20 issue today is the Best Western Sky Valley Inn in Monroe to  
21 Sea-Tac Airport.

22 The same question: Can you point us to where in your  
23 tariff and time schedule that service is shown?

24 A. It would be the same as the Tulalip casino route with  
25 the regular rates on "1st Revised Page 6," and the ZIP codes

0071

1 beginning at "1st Revised Page 8."

2 Q. Okay. Oh, I see. Maybe it's on -- if I'm looking at  
3 "1st Revised Page 9," I think I see about the middle on the  
4 left-hand corner, left side, about the middle of the page down,  
5 "98272 Monroe"; is that where that is --

6 A. Yes.

7 Q. -- on there?

8 Okay.

9 A. Yes, sir.

10 Q. And then the same question. That's a door-to-door  
11 service between those points, not a scheduled service?

12 A. Yes.

13 Q. Okay.

14 MR. FASSIO: Thanks. Those are the questions that I  
15 have.

16 JUDGE PEARSON: Okay. Thank you.

17 Do you have anything further, Mr. Fassio?

18 MR. FASSIO: No, Your Honor.

19 JUDGE PEARSON: Okay. Thank you.

20 All right. I want to thank everyone for coming here  
21 today and presenting your testimony.

22 And as I stated earlier, I will be issuing an order  
23 within ten days with my decision, and with that, we are  
24 adjourned. Thank you.

25 MR. MARKS: Thank you.

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MR. MAUROU: Thank you, Your Honor.

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(Proceeding concluded at 10:58 a.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON )

) ss

COUNTY OF KING )

I, SHELBY KAY K. FUKUSHIMA, a Certified Shorthand Reporter and Notary Public in and for the State of Washington, do hereby certify that the foregoing transcript is true and accurate to the best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of September, 2014.

\_\_\_\_\_  
SHELBY KAY K. FUKUSHIMA, CCR

My commission expires:  
June 29, 2017

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