Docket No. TC-230062 - Vol. I

In Re: The Application of Rocket Transportation, LLC

May 17, 2023

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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

_____

In re Application of:)
)
ROCKET TRANSPORTATION, LLC)
) DOCKET TC-230062
For Extension of Certificate)
C-062991 of Public   )
Convenience and Necessity to)
Operate Motor Vehicles in   )
Furnishing Passenger and   )
Express Service as an Auto   )
Transportation Company   )

_____

VIDEOCONFERENCE
OF
BRIEF ADJUDICATIVE PROCEEDING

VOLUME I
Pages 1-52
BEFORE ADMINISTRATIVE LAW JUDGE RAYNE PEARSON
_____

(ALL PARTICIPANTS APPEARING VIA VIDEOCONFERENCE)

DATE TAKEN: May 17, 2023
REPORTED BY: Nancy M. Kottenstette, RPR, CCR 3377

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1   APPEARANCES
2   FOR THE APPLICANT:
    ROCKET TRANSPORTATION, LLC
3
      Kathy Roman, pro se
4   Bruce Alexander
      Rocket Transportation, LLC
5   P.O. Box 267
      Chimacum, WA 98325
6   kathy@gorocketman.com
7   FOR THE PROTESTANT:
    BREMERTON-KITSAP AIRPORTER, INC.
8
      Blair I. Fassburg, Esq.
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      Seattle, WA 98101
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12
    ALSO PRESENT:
13
    Avery Booth
14 Cortney Wagner
    Mathew Perkinson
15 Aaron Cahen
    Jason Sharp
16 Greg Hammond
    Richard Asche
17
18
19
20
21
22
23
24
25

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1   May 17, 2023; 2:06 p.m.
2
3   JUDGE PEARSON: On the record. Good
4   afternoon. This is Docket TC-230062, which is an
5   application filed by Rocket Transportation, LLC, to
6   extend its auto transportation authority to add a stop
7   in Poulsbo to its service territory. Today is
8   Wednesday, May 17, 2023. The time is 2:06 p.m. And
9   we are here for a brief adjudicative proceeding to
10 hear an objection to the application filed by
11 Bremerton-Kitsap Airporter, Inc.
12   My name is Rayne Pearson. I use she/her
13 pronouns, and I am the administrative law judge
14 presiding over this case. Let's get started by taking
15 appearances, beginning with the applicant, Rocket
16 Transportation.
17   MS. ROMAN: Okay. I'm sorry. You said
18 taking appearances?
19   JUDGE PEARSON: Yes. If you could just
20 state your name. We have the spelling of your name on
21 the Zoom meeting, but just identify yourself and what
22 your position is with the company.
23   MS. ROMAN: Kathy Roman, Rocket
24 Transportation owner since 2014.
25   JUDGE PEARSON: Okay. Thank you. And,

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1 Mr. Alexander, did you want to go ahead and identify
2 yourself and your role with the company?
3   MR. ALEXANDER: Yes. I'm Bruce
4 Alexander, and I'm a partner with Kathy and Rocket
5 Transportation.
6   JUDGE PEARSON: Okay. Great. Thank
7 you.
8   And for Bremerton-Kitsap Airporter?
9   ATTY. FASSBURG: Good afternoon, Your
10 Honor. Blair Fassburg of Williams Kastner and joined
11 today by Mr. Richard Asche on behalf of
12 Bremerton-Kitsap Airporter.
13   JUDGE PEARSON: Thank you. So under
14 our procedural rules, specifically Washington
15 Administrative Code 480-31-363, when the Commission
16 considers an objection filed by a company holding a
17 certificate, the Commission will determine whether or
18 not the objecting company will provide the same
19 service to the satisfaction of the Commission.
20   And if the Commission determines that the
21 objecting company holds a certificate to provide the
22 same service in the same territory that the service is
23 the same as the proposed -- is that proposed in the
24 application and that the objecting company is
25 providing the same service to the satisfaction of the

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1 Commission, the Commission will not issue a
2 certificate.
3   And if the Commission determines that the
4 objecting company will not provide the same service to
5 the satisfaction of the Commission, the Commission may
6 grant the application. So that is the standard and
7 what we're looking for today and what I will be
8 evaluating.
9   And so what we'll do is we'll have Rocket
10 Transportation present its case first, and then
11 Bremerton-Kitsap will have an opportunity to respond
12 and present its case.
13   So would the parties like to make brief
14 opening statements before we get started with witness
15 testimony?
16   MS. ROMAN: Yes, I would.
17   JUDGE PEARSON: Okay.
18   ATTY. FASSBURG: Yes.
19   MS. ROMAN: This issue has actually
20 arisen in 2015 when I did the attempted tariff change,
21 and I called Mr. Asche personally and mentioned that
22 this was an issue that clients were calling us for
23 service out of this area. And I asked permission to
24 add this service, and he emphatically said no.
25   JUDGE PEARSON: Hold on. Ms. Roman,

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1 hold on. I want to stop you real quick, because you
2 are representing yourself and what you're giving now
3 is similar to testimony. I want to swear you in
4 before you go further.
5   MS. ROMAN: Okay.
6   JUDGE PEARSON: If you could just raise
7 your right hand.
8
9 KATHY ROMAN,   witness herein, having been
10   first duly sworn on oath,
11   testified as follows:
12
13   JUDGE PEARSON: Okay. You can
14 continue.
15   MS. ROMAN: Okay. And I highly
16 recommended that he add this service and let it go at
17 that. And then now 2023 we're modifying our tariff
18 again, and I see that this issue has not been brought
19 up, resolved, or anything with Kitsap Airporter. And
20 so I decided to formally submit this today.
21   JUDGE PEARSON: Okay. Thank you.
22   Mr. Fassburg, would you like to make an
23 opening statement?
24   ATTY. FASSBURG: Yes, I would. Thank
25 you, Your Honor.

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1   The Commission rules define two specific types
2 of auto transportation service under the rules,
3 door-to-door service and scheduled service. As the
4 Commission is well aware, these are different types of
5 services.
6   Door-to-door is one in which the airporter
7 provides service to a territory, an area, defined not
8 by the pickup locations, but by the general area in
9 which it will serve with another point on not a
10 specific route to which these passengers will arrive
11 as their destination. What defines door-to-door is
12 the fact that the passenger can pick their pickup
13 location.
14   Scheduled service, by contrast, involves a
15 route on which there are multiple points from which a
16 passenger can be picked up with an end terminus.
17   This application was one that was made under
18 the name door-to-door but is, in fact, an application
19 for scheduled service. There are two specific points
20 that the applicant has asked to serve within Kitsap
21 County, an area for which it does not have current
22 authority to serve.
23   In fact, near the locations that are being
24 applied for, Bremerton-Kitsap Airporter provides
25 scheduled service. As the evidence will reflect,

2 (Pages 5 to 8)

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1 Bremerton-Kitsap Airporter provides this service
2 satisfactorily and reasonably. The locations that the
3 applicant seeks to serve have a very low population
4 density that cannot justify providing additional
5 scheduled stops on the volume and number of stops that
6 are made by Bremerton-Kitsap Airporter, and it would
7 not reasonably serve the public to add additional
8 stops if they cannot be sustained.
9   In addition to demonstrating that they're not
10 providing the same service or that the incumbent is
11 not providing service to the satisfaction of the
12 Commission, one of the burdens of proof on the
13 applicant are that it is both financially and
14 regulatory fit to provide service. It must
15 demonstrate by rule that it has the resources to
16 provide the service.
17   In this case, the application is incomplete,
18 and it fails to demonstrate any of the resources the
19 company possesses to provide this service by which the
20 Commission could assess whether it is reasonable and
21 in the public interest to provide service at this
22 location. The application itself is missing all
23 financial information. It states the assets and
24 liabilities of the company are zero.
25   And so I believe ultimately at the conclusion

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1 of this hearing, Bremerton-Kitsap Airporter will have
2 shown that the application cannot be granted on legal
3 grounds.
4   JUDGE PEARSON: Thank you.
5   Ms. Roman, at this time, you can respond to
6 what Mr. Fassburg said or provide additional
7 testimony. And then when you're done, Mr. Fassburg
8 will be able to ask you cross-examination questions.
9 And then after that, I assume that Mr. Alexander will
10 want to testify; is that correct?
11   MS. ROMAN: I'm not sure what Bruce
12 wants to say. I think he's more observing. I think
13 if he wants to say anything, he'll pipe up and say
14 something.
15   JUDGE PEARSON: Okay.
16   MR. ALEXANDER: Correct.
17   MS. ROMAN: Okay. The -- financially,
18 to support this area, there's absolutely no additional
19 resources from our company needed to do what we've
20 proposed. We drive right by both of those locations
21 every day, every time. It's not a question. This is
22 not something that we think that we should be
23 providing as a company. We think that Kitsap Airport
24 should be providing the service. This is -- from the
25 calls that we get, this is an unmet need in our

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1 opinion.
2   I would like to refer to the exhibits of the
3 one that's labeled Bremerton-Kitsap Airporter map with
4 Rocket proposed service. It's the map with Kitsap
5 Airport. Everyone is familiar with this document.
6   JUDGE PEARSON: So is this --
7   MS. ROMAN: Do you want me to show it?
8   JUDGE PEARSON: Is this something that
9 you submitted or that Mr. Fassburg submitted?
10   MS. ROMAN: That I submitted.
11   JUDGE PEARSON: Okay. Hold on one
12 second.
13   MS. ROMAN: I can share my screen if
14 you want.
15   ATTY. FASSBURG: Your Honor, if I may,
16 as opposed to a hearing exhibit, I believe this was
17 part of the application. We don't have any objection
18 to its use in the hearing.
19   JUDGE PEARSON: Okay. This was
20 submitted with your original application then?
21   MS. ROMAN: It was submitted after the
22 original application. When I realized it was going to
23 be a Zoom meeting, I submitted it after.
24   JUDGE PEARSON: Okay. We'll treat it
25 as -- is it part of the application, though? Or was

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1 it because of the hearing that you submitted it?
2   MS. ROMAN: Well, I was going to bring
3 it to the hearing, and then because it was a Zoom
4 hearing, I submitted it online.
5   JUDGE PEARSON: Okay. So we will --
6 Mr. Fassburg has no objection, so we will admit it
7 into the record and mark it as KR-1. And if you want
8 to go ahead and share your screen, that would be
9 great.
10   (Exhibit KR-1 was marked.)
11   MS. ROMAN: Okay. I'm not familiar
12 with exactly how to do this.
13   JUDGE PEARSON: It should be at the
14 bottom of your screen. Is there a button that says
15 share screen? Mine's lit up green.
16   MS. ROMAN: You're right. It does.
17 Look at that.
18   Okay. So everyone sees my screen?
19   JUDGE PEARSON: Yes.
20   MS. ROMAN: The map is literally taken
21 from Bremerton-Kitsap Airporter's website. The
22 balloon style dots here are their markings on their
23 site showing their stops. I added the purple stops
24 here which are Rocket's stops. You can see both of
25 them there. And then I circled the area, entire

3 (Pages 9 to 12)

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1   Kitsap area in black, and this red section here is the
2   area we're talking about now.
3   So in my opinion, this area is an unserved
4   area based on the fact that we get calls on a regular
5   basis from people living in this area that feel that
6   Bremerton-Kitsap Airporter is not meeting their need,
7   that they need closer stops, and they're asking us to
8   provide the service. And we just keep telling them,
9   no, sorry, we can't. No, we can't, and so would like
10 to get this resolved one way or the other, either get
11 the area served or let us do it.
12   I mean, I don't have a big opinion one way or
13 the other. I just think the customers are calling for
14 it. So my big thing is, is this area being served,
15 that's number one. And if it's not being served, who
16 is going to serve it?
17   JUDGE PEARSON: Okay. Thank you. Are
18 you done testifying?
19   MS. ROMAN: Yes. That is it.
20   JUDGE PEARSON: Mr. Fassburg, do you
21 have any questions for Ms. Roman?
22   E X A M I N A T I O N
23 BY ATTY. FASSBURG:
24   Q I do. And, Ms. Roman, I would like to start
25 by discussing what you currently provide as your

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1   service. My understanding is that the service Rocket
2   Transportation provides is door-to-door and all
3   passengers must originate in Clallam or Jefferson
4   County; is that correct?
5   A Correct.
6   Q And the area that you currently serve, a
7   passenger that would like to book transportation with
8   Rocket Transportation can provide you an address
9   anywhere within Clallam or Jefferson County and you
10 will pick them up and take them to a destination
11 authorized within your certificate; is that right?
12   A Correct.
13   Q Now, how many vehicles does Rocket
14 Transportation operate on, say, an airport run to
15 Sea-Tac daily?
16   A One vehicle per run, anywhere from zero to six
17 runs a day currently.
18   Q How many different vehicles does it operate to
19 provide that service?
20   A How many in our fleet or how many run on each
21 day?
22   Q How many will run to Sea-Tac, how many
23 separate vehicles?
24   A One vehicle per run based on the number of
25 runs that we have. If we have three runs, we're

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1   running three vehicles. If we have six runs, we're
2   running six vehicles.
3   Q And to be clear, are each of these vehicles a
4   shared-ride vehicle?
5   A Yes.
6   Q So a passenger who books transportation in
7   Port Angeles might be joined with a passenger who
8   books transportation from Sequim and they would be
9   sharing the same vehicle to Sea-Tac Airport; is that
10 correct?
11   A Correct.
12   Q And it is your intention by this application
13 that if it were granted those same two passengers
14 might join a passenger who is picked up near Poulsbo
15 and share that vehicle to Sea-Tac as well; correct?
16   A Correct.
17   Q In your map that is still on the screen that
18 is Exhibit KR-1, the area that you described within
19 the red what we'll call that oblong shape in North
20 Kitsap County, that is not an area in which you intend
21 to provide door-to-door transportation throughout the
22 entire area; correct?
23   A Correct.
24   Q And, in fact, there's only two specific pickup
25 or dropoff locations you're proposing to serve in that

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1   area; right?
2   A Correct.
3   Q Is it your intention that if someone books
4   transportation to or from one of those points and the
5   vehicle would otherwise be empty that you will still
6   provide them transportation from that point to Sea-Tac
7   Airport?
8   A Yes.
9   Q Okay. Now, with respect to the area that
10 you've described as your service area, you would agree
11 with me -- I'm sorry. The proposed area, as it is
12 indicated on Exhibit KR-1, that is not, in fact, the
13 proposed area, because you're not going to pick up a
14 passenger, say, in Hansville at their house; correct?
15   A Well, it's not -- our proposed is those two
16 stops, correct. The area circled in red is what we
17 are saying is an unserviced area of the Kitsap County.
18   Q And those two points that you're proposing to
19 serve, those are along the route that your vehicles
20 are already driving?
21   A Correct.
22   Q Does your vehicle have an alternative route
23 that they take, or does it always take that route?
24   A The only time it would change would be if the
25 bridge is closed or some other things happened that

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1   has made it unpassable. Otherwise, that is our route.
2   **Q   If you were, instead, proposing to provide**
3   **service to the entire area that's within your red,**
4   **oblong shape in North Kitsap peninsula, would it be**
5   **economically reasonable or feasible for you to serve**
6   **that entire territory and provide a driver at any**
7   **location at any time of their choosing?**
8   A   The only way that we could economically make
9   that successful would be to have a van that picks up
10   in those areas, each specific location, and then
11   brings them to one of the Rocket-proposed areas. And
12   that's something we currently do in our service area
13   is feed the main van. We call it the main van, the
14   one that's going to do the entire route to the
15   airport, feed it with a smaller van.
16   **Q   So you would need --**
17   A   That is possible. Well, we have enough vans.
18   We do it already. When I say one van goes to Sea-Tac,
19   we may have three vans feeding it.
20   **Q   So right now do you have equipment that you**
21   **intend to dedicate to that entire area?**
22   A   We could. It's not in the current proposal.
23   It is possible.
24   **Q   Where in your application do you list all the**
25   **equipment that you're using for this service?**

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1   A   In this particular application?
2   **Q   Yes.**
3   A   No. I did not add the vehicle list in the
4   application. It's on our annual report, and our
5   equipment list hasn't changed.
6   **Q   And where in this application have you listed**
7   **any of the assets or liabilities of the company?**
8   A   I have not included the assets and
9   liabilities.
10   **Q   And so to be clear, other than your statement**
11   **here at the hearing where you say that it wouldn't**
12   **cost you anything additional to provide this service,**
13   **you haven't supplied the commission with any financial**
14   **data by which to assess your financial fitness;**
15   **correct?**
16   A   Other than the annual report that was just
17   filed, correct.
18   **Q   And you will agree with me --**
19   A   Everything --
20   **Q   You would agree that annual report was not**
21   **filed with respect to this application?**
22   A   No. I didn't see it necessary.
23   **Q   The two support statements that you supplied**
24   **with your application, I'd like to ask you a couple of**
25   **questions about.**

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1   A   The three?
2   **Q   Well, I have two. I guess there are three**
3   **here in front of me. You're right.**
4   **So I don't believe I submitted these as**
5   **hearing exhibits. Do you object to --**
6   A   They're in the list. They're in the filing,
7   yeah.
8   ATTY. FASSBURG: Judge Pearson, I
9   didn't submit these as hearing exhibits, but I would
10   like to refer to them, if that's okay?
11   JUDGE PEARSON: Which documents?
12   MS. ROMAN: I have no objection.
13   JUDGE PEARSON: Which documents are you
14   referring to?
15   ATTY. FASSBURG: There were three
16   letter support statements filed with -- either with
17   the application or subsequent to the application.
18   JUDGE PEARSON: Right. I'll take
19   official notice of those, because they are part of the
20   application in the docket.
21   ATTY. FASSBURG: Yes. Thank you.
22   BY ATTY. FASSBURG:
23   **Q   With respect to the letter from Mary**
24   **Underwood, Ms. Roman, do you agree with me that --**
25   A   One moment. One moment. Wait. Wait. Wait.

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1   I got it.
2   **Q   Yes.**
3   A   Okay.
4   **Q   Ms. Underwood here states that she lives in**
5   **Kingston; correct?**
6   A   Yes.
7   **Q   And you would agree with me, you're not**
8   **proposing to provide a stop in Kingston; correct?**
9   A   I think both of these are labeled as Poulsbo,
10   near Port Gamble and near-ish Kingston but not in
11   Kingston.
12   **Q   And if a person who lives in Kingston would**
13   **like to use your proposed service, are they going to**
14   **be picked up at their house?**
15   A   Not unless the UTC wants to give us authority
16   to do that. I haven't asked for it.
17   **Q   And so if a person from Kingston wants to**
18   **utilize your proposed service, they would need to have**
19   **a ride or transportation of some kind to one of the**
20   **two proposed stops; correct?**
21   A   Correct.
22   **Q   And the distance to those stops, do you have**
23   **that in front of you? Do you know what that distance**
24   **is?**
25   A   The distance between my two stops?

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1   Q   The distance --
2   A   The distance from Kingston?
3   Q   The distance from Kingston to either of your
4   two stops?
5   A   I would guess by scale on the map, it's
6   probably eight miles.
7   Q   Do you agree with me that based on the
8   population density of that area most passengers who
9   desire to receive auto transportation service to the
10   airport are going to have to drive a number of miles?
11   A   I'm sorry. I think everybody drives a number
12   of miles to get to their location. We have people
13   that get picked up in Clallam and Jefferson not at
14   their homes. That's not an unusual thing for us.
15   Q   Sure. And so where a point on a route may be
16   located may have to do with population density and the
17   feasibility of service and not just the number of
18   miles that a passenger might drive; correct?
19   A   In a general statement, yes, that's correct.
20   And my point is that there should be closer service to
21   this area. No matter who is serving it.
22   Q   Now, you offered a statement from Karl Morgan
23   as well; correct?
24   A   One moment. I don't have them memorized.
25   Okay. Yes.

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1   Q   Mr. Morgan lives in Hansville; correct?
2   A   Correct.
3   Q   Did Mr. Hansville [sic] support the need for
4   service at a specific location?
5   A   Yes.
6   Q   So where in this letter did he say he would
7   like there to be a Poulsbo stop?
8   A   A what?
9   Q   A stop in Poulsbo.
10   A   Oh, no, he wants something closer to him,
11   period. And since Kitsap is not supplying it, he
12   thought we should supply it.
13   Q   And Mr. Morgan also did not support the need
14   for a stop -- a point for service south of the Hood
15   Canal Bridge either, did he?
16   A   One second. Karl Morgan. Sorry. I'm sorry.
17   Repeat that, please.
18   Q   I'm asking you: Mr. Morgan did not support
19   the need for service at your more northern proposed
20   stop either; correct?
21   A   I'm sorry?
22   Q   Maybe I can clarify. How do you define the
23   point that you propose to serve that is near Port
24   Gamble?
25   A   I -- those are just the points that are on our

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1   route in Poulsbo, period, things that we can do to
2   help this need without changing everything that we do.
3   Q   And so the more northern point that you're
4   proposing to serve, Mr. Morgan did not specifically
5   state that there's a need for service at that location
6   either, did he?
7   A   Oh, no. His thing was set way before I made
8   this proposal. I mean, he didn't -- he didn't -- he
9   tried to book and then got mad that we wouldn't take
10   him. And so -- and that happens fairly regularly. So
11   this is what I came up with that I could propose to
12   attempt to fill some of this need.
13   Q   So I think we're good there. We can move on.
14   On average, how many runs per day do you
15   operate from Jefferson or Clallam County to Sea-Tac
16   Airport?
17   A   It used to be six. Right now it's about four.
18   Q   And how many people have attempted to book
19   service from Kitsap County to Sea-Tac Airport, say
20   in --
21   A   Oh, my gosh. I've given up trying to count.
22   I would say it averages maybe six a month that have
23   called us attempting. I mean, people give up after a
24   while, but that's what I would say is an average.
25   Q   So if you were to have this service, you think

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1   there would be approximately six passengers a month?
2   A   I would think that once it got known, there
3   might be, say, 12 a month, but I don't think it would
4   be a whole lot.
5   Q   You have proposed a tariff for this proposed
6   service; is that correct?
7   A   You mean submitted a change to the current
8   tariff with the proposed tariff?
9   Q   Sure. You've proposed what the rate will be
10   for these new service points; correct?
11   A   Correct.
12   Q   And what's the base fare that you're proposing
13   to charge?
14   A   It would be the same either -- it depends on
15   what our fare structure is in place. Right now it
16   would be the same as our, quote, base fare -- not the
17   base max. But our base fare zone, it would be the
18   same as that. And we have on that community
19   partnership locations that we're working on that are
20   discounted areas.
21   And when we get that in place, these locations
22   would have that same community partnership discount
23   for areas that are not the specific home addresses.
24   If they want to meet us somewhere, they get a discount
25   for doing that. But that's not required. They can

6 (Pages 21 to 24)

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1   pay the full fare and get picked up at their home.
2   Q So what's the current number that is being
3   proposed? What is the current rate?
4   A The current rate, $85.
5   ATTY. FASSBURG: I think I have no
6   further questions. Thank you.
7   JUDGE PEARSON: Thank you. So if
8   Mr. Alexander wanted to testify, this would be his
9   opportunity.
10   MS. ROMAN: Can we get rid of my screen
11   first?
12   JUDGE PEARSON: Absolutely. Do you
13   know how to do that?
14   MS. ROMAN: Maybe.
15   JUDGE PEARSON: Okay. I'm assuming it
16   would be the same button that you hit for share
17   screen. It should probably be red and have an X on it
18   now.
19   MS. ROMAN: My Zoom screen has changed.
20   It's now this tiny little thing on the right here, and
21   I don't know how to make it bigger.
22   JUDGE PEARSON: Let's go off the record
23   for just a moment.
24   (A break was taken from 2:33 p.m. to
25   2:34 p.m.)

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1   JUDGE PEARSON: Mr. Alexander, did you
2   want to offer testimony?
3   MR. ALEXANDER: I would.
4   JUDGE PEARSON: Okay. If you could
5   raise your right hand, I'll swear you in.
6   BRUCE ALEXANDER,   witness herein, having been
7   first duly sworn on oath,
8   was examined and testified
9   as follows:
10
11   JUDGE PEARSON: You can go ahead when
12   you're ready.
13   MR. ALEXANDER: Well, one of the things
14   that I'm a little bit puzzled by is why the objection
15   to serve people in that area that have been requesting
16   that service if it's not something that they feel
17   that -- the Kitsap Airporter feels that it's not
18   feasible or there's not enough population to serve
19   that area. If that is, indeed, not an issue, then it
20   would seem that they would not object to us serving
21   that area.
22   So that's one question that I have. The other
23   issue is that I wanted to add that in Kathy's
24   testimony we have actually a flexible fare that goes a
25   little bit above 85 and a little bit below 85, so we

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1   have some flexibility in that fare. And, indeed, if
2   this area was granted for us to serve, actually, in
3   the last couple of weeks, we've purchased some
4   additional vehicles where we could have the additional
5   capability of picking people up in those areas, even
6   if it was door-to-door. And that's -- those two
7   points, I just want to make that on the record.
8   JUDGE PEARSON: Okay. Thank you. Does
9   that complete your testimony?
10   MR. ALEXANDER: It does at this point.
11   JUDGE PEARSON: Okay. This is going to
12   be your only opportunity unless you want to be the one
13   to make the closing statement at the end.
14   But you will also have an opportunity to
15   cross-examine Mr. Asche.
16   MR. ALEXANDER: Very good. Thank you.
17   JUDGE PEARSON: Okay. Mr. Fassburg, do
18   you have questions for Mr. Alexander?
19   ATTY. FASSBURG: No, I don't.
20   JUDGE PEARSON: All right. So that
21   concludes the company's witnesses, correct, for Rocket
22   Transportation? Yes, okay. Got an affirmative nod
23   from Ms. Roman.
24   Mr. Fassburg, do you just have the one witness
25   today, Mr. Asche?

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1   ATTY. FASSBURG: Yes. That's right.
2   JUDGE PEARSON: Would you like to call
3   Mr. Asche?
4   ATTY. FASSBURG: Dick, are you
5   available?
6   JUDGE PEARSON: There he is.
7   Mr. Asche, can you unmute yourself?
8   MR. ASCHE: Okay. Now --
9   JUDGE PEARSON: All right. Mr. Asche,
10   if you could raise your right hand, I'll swear you in.
11
12   RICHARD ASCHE,   witness herein, having been
13   first duly sworn on oath,
14   was examined and testified
15   as follows:
16
17   JUDGE PEARSON: All right.
18   Mr. Fassburg, go ahead.
19   E X A M I N A T I O N
20   BY ATTY. FASSBURG:
21   Q First, Mr. Asche will you state your full
22   legal name and position with Bremerton-Kitsap
23   Airporter.
24   A Richard E. Asche and I'm president of the
25   company.

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1   **Q How long have you been the president of the**
2   **company?**
3   A   Since its origin. I founded the company in
4   1979.
5   **Q It's my understanding that Bremerton-Kitsap**
6   **Airporter provides service along two separate routes.**
7   **I'd like to focus today on your Kitsap route. Would**
8   **you describe generally for the Commission what service**
9   **you provide in Kitsap County?**
10   A   We provide -- currently, we provide 20 trips a
11   day. We're soon going to increase that by another
12   trip. We operate hourly from beginning at Poulsbo
13   going to Sea-Tac for 20 times a day currently. And as
14   soon as the summertime comes around and we get
15   availability of more drivers, we'll add that other run
16   that will end at midnight. We'll get to the airport
17   at midnight and depart 20 minutes later.
18   **Q And right now, what is the most -- the**
19   **northernmost point that you serve in Kitsap County?**
20   A   Is the Keyport Junction, which is in Poulsbo.
21   **Q So what is the reason why you have a stop at**
22   **Keyport Junction?**
23   A   Well, basically, because we used to operate
24   out of Bangor sub base, but we're no longer able to do
25   that because of security restrictions. So we moved

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1   our stop to the nearest location from Keyport -- or to
2   Keyport Junction, which is just -- how many miles is
3   it to the -- one mile down the road to Keyport
4   Junction from the Bangor sub base, so many of our
5   passengers are from Keyport Junction or from Bangor
6   and northern Kitsap County.
7   **Q Is there a reason in terms of feasibility and**
8   **reasonableness for the company that you provide**
9   **service there as opposed to somewhere else?**
10   A   Because it's closest to Bangor, and we're no
11   longer serving Bangor. It's a sub stop for Bangor.
12   Plus we get all the Poulsbo people there too.
13   **Q What is it about Bangor that has your company**
14   **providing service in that location?**
15   A   Other than Bangor?
16   **Q No. I'm asking what is it about Bangor that**
17   **has you providing service to that location? Let me**
18   **clarify. Is there something with respect to**
19   **passengers that has your company providing service to**
20   **that specific location?**
21   A   Yes. A lot of our passengers are military
22   passengers and military service passengers.
23   **Q With 20 runs a day, how many passengers do you**
24   **carry per day from that location, do you know?**
25   A   Probably 10 percent of our passengers.

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1   **Q And we have an exhibit that we filed that we**
2   **can refer to. And I don't know that it's been marked,**
3   **but let me see if I can find that in my records real**
4   **quick. Do you have a copy -- I may have failed to**
5   **provide you a copy of that. Let me see if I can pull**
6   **that up on our screen so we can all look at that.**
7   **It's taking me just a second while it opens.**
8   **Can you see that now, Mr. Asche?**
9   A   No. I sure can't.
10   **Q Let's see if I can make that work. There we**
11   **go. Is it visible now?**
12   A   Now it is. That's correct. Okay.
13   **Q Okay. Great. This is an exhibit prepared**
14   **from data provided by Bremerton-Kitsap Airporter. Are**
15   **you familiar with the passenger counts from the**
16   **Poulsbo stop to Sea-Tac Airport?**
17   A   Yes, I am.
18   **Q Now, referring to this exhibit, how many daily**
19   **passengers do you have from Poulsbo -- and, actually,**
20   **I'll scroll down. Let's look at 2023. For the month**
21   **of April, do you see how many monthly passengers you**
22   **had from that stop in the month of April 2023?**
23   A   I'm on my cell phone now. I have to get my
24   glasses here.
25   **Q I'll represent to you that the table shows the**

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1   **total Poulsbo passengers in April 2023 was 1,047 and**
2   **that the average daily count was 35. Does that sound**
3   **accurate to you?**
4   A   That's about right.
5   **Q In order to sustain 20 runs a day, is there a**
6   **certain concentration of passengers that are required?**
7   A   You mean from Poulsbo?
8   **Q Yes.**
9   A   No. We take reservations for anywhere they
10   want to go and be picked up on the route.
11   **Q In order to provide that service -- I'm going**
12   **to stop sharing the screen so that we can see each**
13   **other.**
14   **In order to provide that service sustainably**
15   **so you can provide it at a profit, does it require**
16   **that you have a certain level of passengers?**
17   A   Well, not really, just our breaking -- it
18   varies. Depending on the -- we run 20 trips a day,
19   and that costs X number of dollars. I don't know what
20   that figure is exactly, but you count driver's time
21   and gasoline costs and fuel costs and vehicle
22   maintenance. I don't know how many passengers we need
23   to make a route profitable.
24   **Q Well, you don't have an exact number, but**
25   **would it be safe to say that there is some number of**

8 (Pages 29 to 32)

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1   passengers that are required to make a stop
2   profitable?
3   A   Yes. It is.
4   Q   If you were to expand your route and provide
5   service to another stop in Poulsbo, do you believe
6   that you would dilute your passengers from the Keyport
7   Junction stop?
8   A   Possibly. Although in the last two,
9   three months, we've had only one request to pick up
10 people beyond our Keyport Junction stop, so there's
11 only -- there's no demand for it. So there's no need
12 to extend our route any further than what we're doing
13 right now.
14   Besides, if we expand our route further, it's
15 going to involve more time for passengers to get to
16 the airport. It's going to involve more time for our
17 drivers to get to the first pickup location which
18 would be north of our Keyport Junction right now.
19 It's very expensive.
20   Q   Thank you. And with respect to your passenger
21 counts, have they been up or down since prior to the
22 pandemic?
23   A   They're down from prior to the pandemic.
24   Q   What's the impact on the company when your
25 passenger counts decline?

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1   A   Well, we -- we're just dealing with less
2   money, I guess, less income. The impact is if we have
3   fewer customers, we have to cut back some of our runs.
4   So we've added more runs. We're adding more runs now.
5   We're one run shy of what we were before pre-COVID.
6   Q   Now, if you were to expand your service to
7   provide an additional stop, you don't have an exact
8   number as to how many passengers you would need in
9   order to operate 20 runs a day profitably?
10   A   No. I sure don't.
11   Q   Would you -- do you believe you'd be able to
12 operate an additional stop with 20 runs a day
13 profitably if there were only six passengers?
14   A   I doubt it. That's an awful long distance to
15 drive.
16   Q   What if there were 12 additional passengers?
17   A   Per day?
18   Q   Total, per month.
19   A   I don't think so, no.
20   Q   What about -- what if it were per day?
21   A   I doubt it would be profitable per day either.
22 As long as we keep that pickup location at Keyport
23 Junction, we're good to go for all the Bangor people.
24 There's no need for anybody to go -- from Bangor to go
25 to these other two proposed stops.

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1   Q   Now, with respect to scheduled service, I want
2   to talk to you just a little bit about the nature of
3   scheduled service. Do you believe that most of your
4   passengers require a ride to Keyport Junction as
5   opposed to simply walking over and jumping on the
6   shuttle?
7   A   Yes, they do. Like all of our stops, people
8   have to come from their homes or to one of our stops.
9   Q   Do you have any understanding of how far your
10 passengers travel to get to your stops?
11   A   Well, I personally travel about 12 miles to
12 get to my stop when I travel, and that's on the
13 airporter. But it varies. Most of our -- pickup
14 locations are centrally located. Like in Bremerton we
15 have two pickup locations, which is -- the beginning
16 of our service was at Bremerton. And we get quite a
17 few people out of Bremerton, but they're not too far
18 away from our stops, two stops in Bremerton.
19   Q   So what about people that live a little
20 further away than, say, in the city where your stop is
21 located, is it reasonable to expect that they will
22 have to travel a distance to get to your stop?
23   A   Yeah, I would think. I travel -- like I say,
24 travel 12 miles to get to my stop, and I live in
25 Manchester.

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1   Q   How many people have complained to you that
2   are from Kingston that you don't have a stop closer to
3   Kingston?
4   A   Nobody.
5   Q   How many people from Hansville have complained
6   to you that you don't have a stop closer to Hansville?
7   A   Nobody to my knowledge.
8   Q   And what about folks that live near the Hood
9   Canal Bridge, has anyone from there complained to you
10 that you don't have a stop closer to them?
11   A   No. Nobody is complaining about this.
12   Q   If you were to have Rocket Transportation's
13 application granted and passengers from those
14 locations that might otherwise have come to your stop
15 will now instead use an alternative, would there be
16 any negative impact on Bremerton-Kitsap Airporter?
17   A   Well, if it is, it would be very limited. I'm
18 not sure. I wouldn't be able to say that. It's a
19 projection that I can't make.
20   Q   If you lose any passengers, does it create any
21 impact on your company?
22   A   Not really. Well, anytime we lose passengers,
23 it's an impact on the company, so I would think our
24 hope is to regain the passenger counts that we had in
25 '19 -- or 2019. That's our goal to reach what we did

9 (Pages 33 to 36)

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1   pre-COVID.
2   ATTY. FASSBURG: Okay. No further
3   questions. Thank you.
4   JUDGE PEARSON: All right. Thank you.
5   Mr. Alexander, do you have questions?
6   MR. ALEXANDER: I do for Mr. Asche.
7   E X A M I N A T I O N
8   BY MR. ALEXANDER:
9   Q   Mr. Asche, from what I heard, you stated that
10   your passenger count for the Poulsbo stops are lower
11   today than they were in 2019; is that correct?
12   A   Whatever that chart said. I don't have the
13   chart in front of me, but maybe Mr. Fassburg could
14   answer that one. They are lower. I believe they are
15   lower than 2019 on account of COVID.
16   MR. ALEXANDER: I don't have the chart
17   in front of me. Mr. Fassburg, can you confirm the
18   numbers?
19   JUDGE PEARSON: Well, I think what
20   would be appropriate is if you shared the screen
21   again, Mr. Fassburg.
22   ATTY. FASSBURG: I'm happy to do that.
23   I was trying to do that. I didn't want to do that
24   prematurely. I may need to zoom out to get all
25   numbers on the screen.

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1   BY MR. ALEXANDER:
2   Q   It looks like the numbers in April 2019 the
3   average daily count to 41 versus 35 for April '23?
4   A   That's correct.
5   MR. ALEXANDER: Okay. Thank you. You
6   can close that screen, Mr. Fassburg. Thank you.
7   BY MR. ALEXANDER:
8   Q   So my other question for you, Mr. Asche, is
9   that if according to one of your statements, there's
10   not enough -- you're not getting any demand for people
11   north of Keyport Junction; correct?
12   A   That's correct. One passenger, to my
13   knowledge -- I asked Lauri Smith, our manager, and
14   there's only one comment in that regard in the last
15   two or three months.
16   Q   So I'll state for the record that we have had
17   people request pickup there in North Kitsap County
18   north of Keyport Junction, and, indeed --
19   ATTY. FASSBURG: Your Honor, I'm going
20   to object to the testimony in the form of a question.
21   Mr. Alexander's time to testify has ended.
22   JUDGE PEARSON: Mr. Alexander, I
23   understand that you're not an attorney; correct?
24   MR. ALEXANDER: I'm not. And I
25   understand that I'm making a statement. So I'll go

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1   back to a question for Mr. Asche, please.
2   JUDGE PEARSON: Okay. Thank you.
3   BY MR. ALEXANDER:
4   Q   Mr. Asche, would you have any objection if
5   Rocket Transportation were to provide door-to-door
6   service or pick up people north of Keyport Junction?
7   ATTY. FASSBURG: I'm going to object,
8   Your Honor, because they haven't applied for that
9   service, and I don't think that Mr. Asche should be
10   committing or be required to commit to giving an
11   answer to a hypothetical service that hasn't been
12   applied for.
13   JUDGE PEARSON: I understand, but I'm
14   going to allow it.
15   BY MR. ALEXANDER:
16   Q   Mr. Asche, would you object if we were granted
17   an authorization to pick up north of Keyport Junction,
18   would you have any objection to us picking up
19   passengers door-to-door either at their home or at a
20   pickup spot north of Keyport Junction?
21   A   Yes, I would.
22   Q   If you feel that there is no demand for that
23   service, I don't understand why you would object to
24   that. Could you clarify that?
25   A   Any dilution of the service that we provide, I

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1   would object to, and this would amount -- in effect,
2   it would have a dilution of our passenger counts.
3   Even though slightly, it would still have a dilution
4   of our passenger counts.
5   Q   Okay. I guess I heard two different things
6   then. Because what you did state before was that you
7   don't get any requests for pickup north of Keyport
8   Junction.
9   ATTY. FASSBURG: Objection.
10   A   We've had one in the last -- to my knowledge,
11   there's only been one request for service beyond
12   Keyport Junction in the last two or three months.
13   MR. ALEXANDER: Okay. I don't have
14   anymore questions, Your Honor.
15   JUDGE PEARSON: Okay. Thank you.
16   Mr. Fassburg, do you have any redirect?
17   ATTY. FASSBURG: I don't.
18   JUDGE PEARSON: Okay. All right. Does
19   that conclude testimony for Bremerton-Kitsap
20   Airporter?
21   ATTY. FASSBURG: Yes, it does.
22   JUDGE PEARSON: Okay. Thank you,
23   Mr. Asche.
24   MS. ROMAN: I'm sorry. Do I have a
25   chance to ask questions or not?

10 (Pages 37 to 40)

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1   JUDGE PEARSON: Typically, we just have
2 one representative ask questions of a witness.
3 Because you are pro se, though, we'll let you proceed.
4   But, Mr. Asche, before you answer the
5 questions, give Mr. Fassburg an opportunity to voice
6 any objections. Okay?
7   MR. ASCHE: Thank you.
8   JUDGE PEARSON: Go ahead, Ms. Roman.
9   E X A M I N A T I O N
10 BY MS. ROMAN:
11   Q Oh, I'm sorry. I thought we were waiting for
12 a response.
13   Okay. Did I hear you correctly when you said
14 that Keyport Junction's stop did not exist prior to
15 the Bangor stop being eliminated?
16   A No, it did not.
17   Q So when Bangor was a stop, Keyport Junction
18 did not exist as a Bremerton-Kitsap Airporter stop?
19   A It was a stop at that time, but just a minor
20 stop. It was a minor location, very few people picked
21 up there.
22   Q Okay. So you're saying now that the stop
23 existed? It just wasn't as big as Bangor?
24   A About the same.
25   Q Okay. Are your stops -- currently, your

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1 stops, any of your stops, are they flag stops or are
2 they scheduled stops?
3   A They're all scheduled stops.
4   Q So if you have no reservations for that stop,
5 you do -- you have to stop there anyway and sit there
6 for, I don't know, a minute and see if anybody walks
7 up?
8   A No. That's not true. It's by reservation
9 only. So if we have a reservation at the Keyport
10 stop, we go there. If we don't have a reservation, we
11 don't go there.
12   Q Okay. That is a flag stop.
13   Were you aware that after Bangor stopped being
14 a stop -- I don't know how you say that. Bangor
15 ceased operating with you that they called us to serve
16 that area, to serve the base at Bangor?
17   ATTY. FASSBURG: Objection. Your
18 Honor, this is not relevant to the inquiry today.
19 This is not a current service that's being provided,
20 and it's not an issue within the scope of the
21 application.
22   JUDGE PEARSON: Okay.
23   MS. ROMAN: I withdraw. It was a mere
24 curiosity.
25   JUDGE PEARSON: Okay.

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1 BY MS. ROMAN:
2   Q During COVID lockdown, you guys ceased
3 operating completely for a period of months; is that
4 correct?
5   A Four months.
6   Q Okay. During that time, did anybody else
7 provide service in Kitsap for you with your
8 permission?
9   A No, nobody did.
10   Q Okay.
11   A Nobody had any drivers, plus there was no
12 passengers going to the airport.
13   MS. ROMAN: Okay. Will I get a closing
14 statement? I don't want to make a statement here.
15   JUDGE PEARSON: You will, yes.
16   MS. ROMAN: Okay. That's my questions.
17   JUDGE PEARSON: All right. Thank you.
18   Mr. Fassburg, did that elicit any redirect for
19 you?
20   ATTY. FASSBURG: No.
21   JUDGE PEARSON: Okay. And that
22 concludes then both companies' presentations, it
23 sounds like, and we're ready to move to the closing
24 statements; yes?
25   ATTY. FASSBURG: Yes.

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1   JUDGE PEARSON: Ms. Roman, do you want
2 to go ahead?
3   MS. ROMAN: Okay. During COVID Rocket
4 Transportation continued operating. The Dungeness
5 Line had shut down. Kitsap Airporter had shut down,
6 and we continued operating. And with Bremerton-Kitsap
7 permission, specific permission, we were allowed to
8 pick up in the Kitsap area, anywhere in the Kitsap
9 area, to meet the needs of the passengers traveling
10 during lockdown until such time that Bremerton-Kitsap
11 came back on line.
12   And that was a very collaborative experience.
13 It was not stressful. It was not hostile. It was
14 purely collaborative, and so I would be really curious
15 now as to why can we not continue this collaborative
16 relationship. If they don't see the need and we have
17 the ability, it's not a big deal for us. It's such a
18 low need that it's not going to touch their stuff very
19 much. Why continue? Let's collaborate and make this
20 work and serve the customers.
21   It's not about money. It's not about arguing
22 over passengers. I think the people who are
23 complaining to us aren't the people who are already
24 taking Kitsap Airporter. And so I guess I just see it
25 as a total collaborative experience for everybody. It

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1   doesn't hurt them. It doesn't really have much of an
2   effect on us but really serves the customers, which
3   is, I think, the goal of providing service. Thank
4   you.
5   JUDGE PEARSON: Thank you, Ms. Roman.
6   Mr. Fassburg, did you have a closing statement
7   you would like to make?
8   ATTY. FASSBURG: I do. Thank you, Your
9   Honor.
10   And I will probably keep this brief, but it
11   may require a little bit of delving into rules to tie
12   up what I said in the beginning. And I know, Your
13   Honor, you're very familiar with these rules. I just
14   want to make clear. The application, as I indicated
15   in my opening statement, describes itself as
16   door-to-door.
17   But the definition of door-to-door in
18   WAC 480-30-036 is an auto transportation company
19   service provided between a location identified by the
20   passenger and a point specifically named by the
21   company in its filed tariff and time schedule.
22   The application does not describe a territory
23   in which a passenger can name its point. Scheduled
24   service in that same rule is defined as an auto
25   transportation company providing passenger service at

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1   specified arrival under departure times at points on a
2   route. This is the definition that better fits the
3   service for which Rocket Transportation has applied.
4   The service will provide service from two
5   stops. There are a certain number of limited routes
6   per day that they run based on the vehicle and number
7   of runs that they provide. Although they may not
8   specify a specific time at which they will depart or
9   arrive at these points, this describes a scheduled
10   service.
11   As you, Your Honor, are very well aware, the
12   Commission ruled in 2017 in the consolidated dockets
13   TC-143691 and 160516 and 161257 in the case involving
14   Shuttle Express and SpeediShuttle that combining
15   scheduled and door-to-door services is inconsistent
16   with Commission rules and is not permitted.
17   For persons who book door-to-door service and
18   scheduled service should have an expectation that the
19   vehicles on which they are transported provide service
20   only as described. This application, if granted,
21   would itself commit that same very violation that the
22   Commission found to be problematic in that final
23   order.
24   Additionally, the Commission's rules for
25   applications set forth in 480-31-26 require, in part,

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1   5B, the applicant must demonstrate financial
2   fitness -- financial ability to provide the proposed
3   service. Financial ability means that the applicant
4   has sufficient financing or assets to begin operations
5   and continue them for a reasonable period while
6   developing business.
7   Ordinarily, an applicant is required to submit
8   a complete application. The applicant has admitted
9   she did not because she didn't feel like she needed
10   to. That does not meet Commission requirements to
11   establish financial fitness. The burden of proof of
12   financial fitness, while not being something that the
13   objecting party is permitted to delve into completely,
14   we can still object that they failed to meet their
15   burden of proof. And in this case it was unequivocal
16   that the applicant has not demonstrated that they are
17   financially fit to provide the proposed service in
18   this hearing docket.
19   Finally, the Commission's same service and
20   satisfactory service standards consider whether or not
21   the service provided reasonably serves the market,
22   whether the population density warrants additional
23   facilities or transportation and the topography,
24   character, and condition of the territory served.
25   The application testimony today or the

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1   testimony from the applicant testimony today
2   demonstrated that there might be a very minimal need
3   for additional service in the sense that there are a
4   handful of passengers who have said they don't like
5   having to drive as far as they have to, to take a
6   scheduled service.
7   Mr. Asche, however, testified that he has
8   heard from one person in the last three months that
9   they would have preferred there be different service.
10   When you provide scheduled service, it is not about
11   convenience strictly speaking. Whether or not
12   customers are reasonably served is a number of
13   factors. If the customer wants purely convenience,
14   then they should seek door-to-door or an alternative
15   provider if they don't have a door-to-door provider in
16   their area.
17   Northern Kitsap County is very sparsely
18   populated, and it does not justify a scheduled service
19   of the nature that Bremerton-Kitsap Airporter provides
20   due to the number of stops in order to keep the price
21   low. I don't know that we talked about it with
22   Mr. Asche, but it is in our exhibits. The rate that
23   Mr. Asche or that Bremerton-Kitsap Airporter charges
24   is well below the $85 that is being proposed by the
25   applicant.

12 (Pages 45 to 48)

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1   Because of the convenience factors of having
2 so many runs per day that Bremerton-Kitsap Airporter
3 provides and having a lower price and having a variety
4 of stops, all of which require the passenger to drive
5 some distance in order to ride and find either a
6 parking lot at which they can leave their vehicle
7 overnight or getting a ride from someone else, these
8 service factors are ones that do not require an
9 objecting party to provide service at every location a
10 passenger may expect.
11   As a result, what Bremerton-Kitsap Airporter
12 is providing already does reasonably serve the market.
13 It is adequate, and there has been no record in this
14 proceeding of complaints other than as to a handful of
15 people that would have preferred a more convenient
16 location to them.
17   In toto, the applicant has failed to
18 demonstrate that Bremerton-Kitsap Airporter is not
19 providing service to the satisfaction of the
20 Commission. And while I skipped a step here, this
21 matters because they are the same service. While they
22 may not be proposing -- the applicant may not be
23 proposing to provide a stop in the identical location
24 as Bremerton-Kitsap Airporter, they're proposing to
25 provide airporter service to Sea-Tac Airport from a

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1 stop near Poulsbo. The location of that stop should
2 not matter as long as it reasonably meets the needs of
3 customers. And Bremerton-Kitsap Airporter's service
4 does do that. Thank you.
5   JUDGE PEARSON: All right. Thank you.
6 I want to thank you all for coming here today. I
7 believe that concludes the brief adjudicative
8 proceeding. Unless there's anything further?
9   ATTY. FASSBURG: Not for
10 Bremerton-Kitsap Transporter.
11   MS. ROMAN: I had one small thing I
12 wanted to add that I forgot.
13   JUDGE PEARSON: Okay.
14   MS. ROMAN: Mr. Asche mentioned that
15 all the stops were flag stops. If that's the case, if
16 they created the stops and they didn't get
17 reservations, they would not have to go there. So
18 there would be nothing happening -- if what they're
19 saying is true, then they would never have to go there
20 if, in fact, nobody wanted to get picked up there
21 because of the flag stop situation.
22   JUDGE PEARSON: Okay. Thank you. All
23 right. So I'd like to ask the parties to waive the
24 requirement to issue an order within 10 days because I
25 like to have the transcript available to me, and that

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1 can take 7 to 10 business days until we receive that.
2 Are the parties okay with that?
3   ATTY. FASSBURG: Bremerton-Kitsap
4 Airporter will waive.
5   MS. ROMAN: Rocket waives.
6   JUDGE PEARSON: Thank you so much. Is
7 there anything else that we need to address while
8 we're here today?
9   ATTY. FASSBURG: No. Thank you, Your
10 Honor.
11   JUDGE PEARSON: All right. Thanks
12 again, and we are adjourned.
13   (The proceedings concluded at
14   3:07 p.m.)
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1   C E R T I F I C A T E
2
3 STATE OF WASHINGTON
4 COUNTY OF KING
5
6   I, Nancy M. Kottenstette, a Certified
7 Shorthand Reporter in and for the State of Washington,
8 do hereby certify that the foregoing transcript of the
9 proceedings on May 17, 2023, is true and accurate to
10 the best of my knowledge, skill, and ability.
11   I do further certify that I am a disinterested
12 person in this cause of action; that I am not a
13 relative of the attorneys for any of the parties.
14   IN WITNESS WHEREOF, I have hereunto set my
15 hand and seal this 2nd day of June, 2023.
16
17
18 _____
19   Nancy M. Kottenstette, RPR, CCR 3377
20
21
22
23

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