



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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September 12, 2013

NOTICE OF OPPORTUNITY TO RESPOND
(Responses Due by September 20, 2013)

NOTICE SUSPENDING PROCEDURAL SCHEDULE AND
EVIDENTIARY HEARING

RE: *In re Application of Northwest Smoking & Curing, Inc. d/b/a SeaTac Direct,*
Docket TC-130708

TO ALL PARTIES:

On May 7, 2013, Northwest Smoking & Curing, Inc. d/b/a SeaTac Direct (SeaTac Direct) filed an application under WAC 480-30-096 for a certificate of public convenience and necessity to operate as an auto transportation company, providing closed door scheduled passenger service between the Best Western Lakeway hotel in Bellingham and SeaTac International Airport (Application). Two existing auto transportation companies timely filed protests to the Application. On August 5, 2013, the Washington Utilities and Transportation Commission (Commission) conducted a prehearing conference and established a procedural schedule for Commission consideration of the Application, including scheduling an evidentiary hearing for October 2, 2013.

On August 21, 2013, in Docket TC-121328, the Commission entered General Order R-572, Order Amending and Adopting Rules Permanently, which revised the Commission's auto transportation rules in WAC 480-30. The revised rules will become effective on September 21, 2013.

On September 10, 2013, Commission Staff filed a motion seeking clarification of whether the Commission will apply the rules in WAC 480-30 as they existed when SeaTac Direct filed its Application or the rules that will become effective on September 21 (Motion).

The Commission requests responses to Staff's Motion by Friday, September 20, 2013. In its response, each party must state its position on whether the Commission can and should apply the most current rules in WAC 480-30 when considering the Application, and if so, whether any disputed issues of material fact exist that would require the Commission to conduct an evidentiary hearing.

Resolution of the Motion may affect which parties may continue to participate in this proceeding, whether an evidentiary hearing is necessary, and what issues the Commission must address in any hearing. Because of the proximity of the Motion to the scheduled hearing, the Commission suspends the procedural schedule in this docket and the evidentiary hearing scheduled for October 2, 2013.

THE COMMISSION GIVES NOTICE that written responses to Staff's Motion for Clarification are due by 5:00 p.m., Friday, September 20, 2013.

THE COMMISSION GIVES FURTHER NOTICE that the procedural schedule and evidentiary hearing scheduled in this proceeding for October 2, 2013, are suspended.

STEPHANY A. WATSON
Administrative Law Judge