

**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

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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 )

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VIDEOCONFERENCE  
OF  
BRIEF ADJUDICATIVE PROCEEDING

VOLUME I  
Pages 1-52

BEFORE ADMINISTRATIVE LAW JUDGE RAYNE PEARSON

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(ALL PARTICIPANTS APPEARING VIA VIDEOCONFERENCE)

DATE TAKEN: May 17, 2023

REPORTED BY: Nancy M. Kottenstette, RPR, CCR 3377

1 APPEARANCES

2 FOR THE APPLICANT:  
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10 FOR THE PROTESTANT:  
11 BREMERTON-KITSAP AIRPORTER, INC.

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19 ALSO PRESENT:

20 Avery Booth  
21 Cortney Wagner  
22 Mathew Perkinson  
23 Aaron Cahen  
24 Jason Sharp  
25 Greg Hammond  
Richard Asche

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INDEX OF EXAMINATION

PAGE

KATHY ROMAN  
EXAMINATION

Pro Se Testimony Ms. Roman 7  
Questions By Atty. Fassburg: 13

BRUCE ALEXANDER  
EXAMINATION

Pro Se Testimony Mr. Alexander 26

RICHARD ASCHE  
EXAMINATION

Questions By Atty. Fassburg: 28  
Questions By Mr. Alexander: 37  
Questions By Ms. Roman: 41

INDEX OF EXHIBITS

NUM. DESCRIPTION PAGE

Exhibit KR-1 Bremerton-Kitsap Airporter map 12  
with Rocket proposed service

(Exhibit retained by the parties.)

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,

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

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,

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.



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,

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

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

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

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

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 Airpporter 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

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

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



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

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?

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.

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.

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?

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.

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

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



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

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.)

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

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?

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.

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

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.

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



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

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?

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.

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.

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 Airpporter?

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

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.

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

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



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?

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

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.

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.

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

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

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,

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



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.

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

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

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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C E R T I F I C A T E

STATE OF WASHINGTON

COUNTY OF KING

I, Nancy M. Kottenstette, a Certified Shorthand Reporter in and for the State of Washington, do hereby certify that the foregoing transcript of the proceedings on May 17, 2023, is true and accurate to the best of my knowledge, skill, and ability.

I do further certify that I am a disinterested person in this cause of action; that I am not a relative of the attorneys for any of the parties.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 2nd day of June, 2023.

*Nancy M. Kottenstette*



Nancy M. Kottenstette, RPR, CCR 3377