

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In re Application No. D-079387 of,)	DOCKET NO. TC-051063
)	
GATEWAY SHUTTLE SERVICE,)	ORDER NO. 01
INC.,)	
)	PREHEARING CONFERENCE
For a Certificate of Public)	ORDER; NOTICE OF HEARING
Convenience and Necessity to)	(November 8, 2005, at 9:30 a.m.)
Operate Motor Vehicles in Furnishing)	
Passenger and Express Service as an)	
Auto Transportation Company)	
)	
.....)	

1 **NATURE OF PROCEEDING.** Docket No. TC-051063 involves an application by Gateway Shuttle Service, Inc., for an auto transportation, or bus, certificate to provide door-to-door, by reservation only service between Clallam and Jefferson Counties and points in Seattle and Tacoma, and between Clallam and Jefferson Counties and points in Point Townsend, Port Ludlow, and Silverdale.

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference in this docket at Olympia, Washington on October 10, 2005, before Administrative Law Judge Ann E. Rendahl.

3 **APPEARANCES.** Jeffrey Porter, Carlsborg, Washington, appeared *pro se* on behalf of Gateway Shuttle Service, Inc. (Gateway). David L. Rice, Miller Nash, LLP, Seattle, Washington, represents Evergreen Trails, Inc., d/b/a Gray Line of Seattle and Shuttle Express, Inc., d/b/a Shuttle Express. Jack Heckman, President, Heckman Motors, Inc., d/b/a Olympic Bus Lines (Olympic), Port Angeles, Washington, appeared *pro se* on behalf of Olympic. Chris Swanson, Assistant Attorney General, Olympia, Washington, represents the Commission's

regulatory staff (“Commission Staff” or “Staff”).¹ Contact information provided at the conference for the parties’ representatives is attached as Appendix A to this order.

4 **DISCOVERY.** It does not appear that discovery will be required in this proceeding. If the need for discovery becomes apparent later, any party may request by motion that the Commission allow for discovery pursuant to the Commission’s discovery rules, WAC 480-07-400 – 425.

5 **PROCEDURAL SCHEDULE.** The parties agreed upon a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B, and incorporated into the body of this Order by this reference.

6 **NOTICE OF HEARING.** The Commission schedules a hearing in this matter, to be held on **Tuesday, November 8, 2005, at 9:30 a.m., Mt. Olympus Room, 2nd Floor, Department of Social & Health Services, 201 West First Street, Port Angeles, Washington.**

7 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file with the Commission an original plus 4 copies of all pleadings, motions, briefs, and other prefiled materials. Paper copies of these materials are required to conform to the format and publication guidelines set forth in WAC 480-07-395 and 480-07-460, and must be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

¹ In formal proceedings, such as this case, the Commission’s regulatory staff functions as an independent party with the same rights, privileges, and responsibilities as any other party to the proceeding. There is an “*ex parte* wall” separating the Commissioners, the presiding Administrative Law Judge, and the Commissioners’ policy and accounting advisors from all parties, including Staff. RCW 34.05.455.

- 8 All filings must be mailed to the Commission Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250, or delivered by hand to the Commission Secretary at the Commission's Records Center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.
- 9 An electronic copy of all filings must be provided by e-mail delivery to <records@wutc.wa.gov>. Alternatively, Parties may furnish an electronic copy by delivering with each filing a 3.5-inch IBM-formatted high-density diskette including the filed document(s). The Commission prefers that parties furnish electronic copies in .pdf (Adobe Acrobat) format, supplemented by a separate file in MS Word 6.0 (or later), or WordPerfect 5.1 (or later) format. Parties are required to organize and identify electronic files as specified in WAC 480-07-140(5).
- 10 **ELECTRONIC FILING.** Pursuant to WAC 480-07-145(6), the presiding officer grants parties a one-day extension of the paper-filing requirement, allowing electronic submission of documents with the Commission on the filing deadline. Parties may submit documents electronically to the Commission by e-mailing the document to records@wutc.wa.gov, and must file an original, plus 4 paper copies, of the document with the Commission by the following business day.
- 11 **NOTICE TO PARTIES:** Any objection to the provisions of this Order must be filed within ten (10) days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.

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Dated at Olympia, Washington, and effective this 11th day of October, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ANN E. RENDAHL
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET NO. TC-051063**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
GATEWAY SHUTTLE	JEFFREY L. PORTER P.O. Box 883 Carlsborg, WA 98324	509-307-4145	360-417-5050	jport@3dnorth.com
GRAY LINE	DAVID L. RICE Miller Nash LLP 4400 Two Union Square 601 Union Street Seattle, WA 98101-2352	206-777-7424	206-622-7485	david.rice@millernash.com
SHUTTLE EXPRESS	DAVID RICE Miller Nash LLP 4400 Two Union Square 601 Union Street Seattle, WA 98101-2352	206-777-7424	206-622-7485	david.rice@millernash.com
OLYMPIC BUS LINES	JACK HECKMAN 111 East Front Street Port Angeles, WA 98362	360-417-0700	360-452-1460	jackheckman@olypen.com
COMMISSION STAFF	CHRIS SWANSON Asst. Attorney General P.O. Box 40128 Olympia, WA 98504-0128	360-664-1220	360-586-5522	cswanson@wutc.wa.gov
Admin. Law Judge	ANN E. RENDAHL 1300 S Evergreen Park Dr SW P.O. Box 47250 Olympia, WA 98504-7250	360-664-1144	360-664-2654 [ALD fax only – do not use to file]	arendahl@wutc.wa.gov

APPENDIX B
PROCEDURAL SCHEDULE
DOCKET NO. TC-051063

EVENT	DATE	INTERVAL
Prehearing Conference		—
Exchange witness lists and hearing documents with other parties and file with Commission	Tuesday, November 1, 2005	22 Days
Evidentiary Hearing	Tuesday, November 8, 2005	7 Days
Closing Arguments / Briefs	To be Determined	—