

[Service Date March 20, 2012]

March 20, 2012

**NOTICE REQUIRING FILING OF SETTLEMENT AGREEMENT
OR STATUS REPORT
(Due by March 28, 2012)**

RE: *In re Application of MILLER SCHMER, INC., d/b/a SEATTLE EXPRESS for
Extension of Existing Auto Transportation Authority, Docket TC-111306*

TO ALL PARTIES:

On February 23, 2012, the Washington Utilities and Transportation Commission (Commission) convened a status conference in the above-referenced docket. At that status conference, the Commission granted the request of Miller Schmer, Inc., d/b/a Seattle Express (Seattle Express), and Shuttle Express, Inc. d/b/a Shuttle Express (Shuttle Express), to hold in abeyance further proceedings on the Seattle Express application to allow the parties to negotiate a settlement agreement.

On March 13, 2012, Commission Staff sent an email that the parties were working diligently on a settlement that they expected to present in the near future and requesting that the status conference set for March 15, 2012, be cancelled. The Commission found good cause to cancel the status conference and ordered the parties to either file a settlement agreement or submit a report on the status of their negotiations.

On March 16, 2012, Seattle Express filed a letter purporting to amend its application to add a restriction to its extension request. In its letter, Seattle Express states its understanding that if the Commission approves this amendment, Shuttle Express would withdraw its protest.

This letter is neither a settlement agreement nor a status report. This proceeding is an adjudication, and accordingly, the letter provides no basis on which the Commission could amend or approve Seattle Express' application or otherwise resolve the issues

presented in this docket. The Commission, therefore, reinstates the prior requirement that the parties file a settlement agreement or a report on the status of their settlement negotiations.

THE COMMISSION GIVES NOTICE THAT by March 28, 2012, the parties must file either a report on the status of their settlement negotiations or a settlement agreement, including sufficient supporting documentation to address the Commission's requirements for granting an extension of authority to a current certificate holder.

Sincerely,

MARTIN LOVINGER
Administrative Law Judge