

SUMMIT LAW GROUP®

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August 23, 2004

VIA EMAIL WITH COPY IN U.S. MAIL

Carole J. Washburn, Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. S.W.
Olympia, WA 98504-7250

***Re: Protest of San Juan Island Shuttle Express, Inc. on Application No.
B-079240 (Docket No. TS-031996/BC-10 – Pacific Cruises Northwest, Inc.
d/b/a Victoria San Juan Cruises)***

Dear Secretary Washburn:

Please be informed that Protestant San Juan Island Shuttle Express regrettably withdraws its protest in the above-identified matter.

While we are unable at this time to further pursue our opposition to the application filed by Pacific Cruises Northwest, Inc., we urge the Commission to carefully evaluate on its own volition the merits of this application. We question whether the applicant is fit to provide the service applied-for in light of potential affiliated interest issues, some of which were raised by our discovery request, and in light of lack of operations under its existing authority. We also question whether the public interest justifies granting new authority where there are other existing certificates in the territory, some of which overlap the authority applied for and are owned by an entity with whom we believe the applicant has business relations.

Carole J. Washburn, Secretary
August 23, 2004
Page 2

Thank you for your consideration of this matter.

Sincerely,

SUMMIT LAW GROUP PLLC

A handwritten signature in black ink, appearing to read "Polly L. McNeill", written in a cursive style.

Polly L. McNeill

cc: David W. Wiley
Jonathan Thompson
Karen M. Caille, Administrative Law Judge
Dennis Moss, Administrative Law Judge
Mark Goodman