

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application No. B-079240 of)	DOCKET NO. TS-031996
)	
PACIFIC CRUISES NORTHWEST,)	
INC., d/b/a VICTORIA SAN JUAN)	ORDER NO. 03
CRUISES)	
)	PREHEARING CONFERENCE
For a Certificate of Public)	ORDER MODIFYING SCHEDULE
Convenience and Necessity to)	
Provide Commercial Ferry Service)	
)	
.....)	

1 **NATURE OF PROCEEDING.** Docket No. TS-031996 is an application by Pacific Cruises Northwest, Inc., d/b/a Victoria San Juan Cruises (PCN or the Applicant) for a certificate of public convenience and necessity to provide passenger-only ferry service between Bellingham and Friday Harbor, Washington.

2 **CONFERENCE.** The Washington Utilities and Transportation Commission (Commission) convened a prehearing conference by telephone in this docket at Olympia, Washington on September 1, 2004, before Administrative Law Judge Karen M. Caillé. This prehearing conference was convened at the request of the Applicant to discuss the Protestant’s withdrawal, whether the existing hearing date and location remains viable, and to address other procedural issues, including whether shipper support testimony can be provided via written submission rather than live testimony.

3 **APPEARANCES.** David W. Wiley, Williams, Kastner & Gibbs PLLC, Seattle, Washington, represents the Applicant. Jonathan Thompson, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (“Commission Staff” or “Staff”).

4 **SCHEDULE MODIFICATION.** On August 23, 2004, the Protestant, San Juan Island Shuttle Express, faxed the Commission a letter withdrawing its protest to the pending application of Pacific Cruises Northwest, Inc. d/b/a Victoria San Juan Cruises. The Commission cancelled the discovery conference scheduled for August 24, 2004, and convened a prehearing conference on September 1, 2004, to revisit the hearing schedule, and consider other procedural matters.

5 Applicant requested leave to present evidence of shipper need through written statements since its application is no longer protested. Staff did not object to this process. Accordingly, Applicant may file written statements demonstrating shipper need in support of its application. All written statements must be received by the Commission by November 12, 2004, one week after the evidentiary hearing.

The parties agreed to hold the evidentiary hearing on **Thursday, November 4, 2004**, in Seattle. The procedural schedule set forth in Order No. 01, Prehearing Conference Order, dated June 17, 2004, is replaced by the hearing date set forth in this Order.

6 **PLEASE TAKE NOTICE That the evidentiary hearing on the pending application will begin at 10:00 a.m., Thursday, November 4, 2004, in the Attorney General's conference room on the 5th floor, Bank of California Building, 900 4th Avenue, Seattle, Washington. Parties should bring 3 copies of each exhibit they intend to offer into evidence.**

Dated at Olympia, Washington, and effective this 9th day of September, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KAREN M. CAILLÉ
Administrative Law Judge