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## GENERAL INSTRUCTIONS FOR DISCOVERY

- 1. These data requests call for all information, including but not limited to information contained in documents or any other tangible or material thing that is known or available to Shuttle Express, and including all information in the possession, custody, or control of you or your agents, employees, contractors, attorneys, accountants, auditors, or other persons who are under your, or your attorney's employment, direction and/or control.
- 2. Please send all electronic documents and data in *native format*. For any documents that cannot be transmitted via email, please provide the documents on a *thumb drive*. Staff can no longer accept compact discs.
- 3. Please review all Excel documents and work papers for hidden cells. Hidden cells include hidden worksheets, columns, rows, and ranges. Please ensure that all items provided pursuant to these requests do not contain any hidden cells or formulas.

DATA REQUEST DIRECTED TO: Shuttle Express, Inc. REQUESTED BY: UTC Staff

## **UTC STAFF DATA REQUEST NO. 1**

On September 23, 2020, the Washington Utilities and Transportation Commission (Commission) received an application for transfer of authority and a letter from Wickkiser International Companies, Inc. (Wickkiser) regarding transferring a portion of Shuttle Express, Inc.'s (Shuttle Express) authority to Wickkiser in Docket TC-200824. The letter from Wickkiser stated in part:

Although it is not being used, the Commission has granted Shuttle Express the authority to operate in this area. We have spoken to Jim [Sherrell], owner of Shuttle Express and he has agreed to support our request to transfer this authority. We have completed the Commission's joint application and attached it herewith.

Specifically, Mr. [Sherrell] has agreed to transfer the portion of his authority that reads:

Passenger Service Between:

Everett, the Everett Holiday Inn and Lynnwood and the Ramada Inn, 2140 North Northgate Way, Seattle, on the one hand and the Seattle-Tacoma International Airport on the other hand via local streets, Interstate Highway 5, State Route 518 or Interstate 405 and Hwy 99.

On October 6, 2020, Public Counsel sent Data Requests 1-10, which stated in part:

1. Does Shuttle Express plan on transferring door-to-door operations as well as scheduled service?

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- 2. If Shuttle Express plans on transferring door-to-door operations, to whom is the Company transferring?
  - a) When is the transfer expected to be filed/take place?

. . .

10. If the Company is unable to transfer its licenses for scheduled service to Wickkiser, does Shuttle Express intend to continue providing this service?

On October 7, 2020, the Commission issued a notice of Permanent Auto Transportation Authority Application Pending under Docket TC-200824 regarding a transfer of authority from Shuttle Express to Wickkiser. The notice stated in part:

Application for authority to extend authority as well as transfer a portion of rights under Certificate C000975, from Shuttle Express, Inc. d/b/a/ Shuttle Express, Go Shuttle Express; Limos by Shuttle Express; Downtown Airporter, to Wickkiser International Companies Inc, d/b/a Airporter Shuttle.

On October 14, 2020, Shuttle Express responded to Public Counsel's Data Requests, stating in part:

- 1. Shuttle Express will not be transferring any door-to-door or scheduled operations to another carrier/operator now or in the future.
- 2. Shuttle Express will not be transferring any Washington Utilities and Transportation, WUTC, certificates.

. . .

10. Truly in the "public interest," the UTC would benefit the traveling public by transferring/granting Shuttle Express Everett Scheduled Service Licenses to Wickkiser. . . .

Given the application for transfer of authority from Shuttle Express to Wickkiser in Docket TC-200824 and Shuttle Express's response to Public Counsel Data Request 10, please further explain Shuttle Express's response to Public Counsel Data Requests 1 and 2 that Shuttle Express is not transferring door-to-door or scheduled services or its certificate authority to another company.

/s/ Harry Fukano, WSBA No. 52458 Assistant Attorney General Office of the Attorney General Utilities and Transportation Division P.O. Box 40128 Olympia, WA 98504-0128 (360) 664-1225 harry.fukano@utc.wa.gov From: <u>Jimy Sherrell</u>

To: <u>DeMarco, Betsy (UTC)</u>

Cc: Suetake, Nina (ATG); Paisner, Ann (ATG); Gafken, Lisa (ATG); ATG MI PCC Sea EF; Laycock, Sarah E (ATG);

Johnson, Thomas (ATG); Mak, Chanda (ATG); Burdet, Kevin (ATG); Fukano, Harry (UTC); Roberson, Jeff (UTC);

Nguyen-Le, Hang (UTC)

**Subject:** RE: TC-200151 - Shuttle Express - Staff DR No. 1 to Shuttle Express

**Date:** Thursday, October 15, 2020 5:48:08 PM

Attachments: <u>image002.png</u>

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Docket TC-200151

Response to UTC Staff Data Request No. 1

October 15, 2020

Sorry for the confusion of Shuttle Express response to Public Council.

Addressing PC-1 and PC-2 "not transferring any door-to-door or scheduled operations/licenses now or in the future"

It was not my intent to not transfer the Everett licenses, authority to Wickkiser. Just the opposite it is in the public interest to transfer the Everett licenses to Wickkiser and Shuttle Express fully supports that transfer.

Shuttle Express Response and Correction to Public Counsel Data Request 1 and 2.

Shuttle's intention was and is to transfer its Everett authority to Wickkiser. The remaining door-to-door and scheduled licenses will be discontinued and surrendered to the UTC at the conclusion of this Docket 200151. Shuttle has no intent to transfer its certificate authority, excluding its Everett Certificate, to any other company. Operations of door-to-door and scheduled service, excluding Everett operations, is not viable due to restraints placed by the SEA TAC Airport on those operations.

Thank you for catching my miss stated response and allowing correction and clarification.

Jimy Sherrell

Founder / CEO Cell 206-930-6057





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From: DeMarco, Betsy (UTC) <betsy.demarco@utc.wa.gov>

Sent: Thursday, October 15, 2020 3:12 PM

**To:** jimysh@centurylink.net

**Cc:** Suetake, Nina (ATG) <nina.suetake@atg.wa.gov>; Paisner, Ann (ATG)

<Ann.Paisner@atg.wa.gov>; Gafken, Lisa (ATG) lisa.gafken@atg.wa.gov>; ATG MI PCC Sea EF <PCCSeaEF@ATG.WA.GOV>; Laycock, Sarah E (ATG) <sarah.laycock@atg.wa.gov>; Johnson, Thomas

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(ATG) <thomas.johnson@atg.wa.gov>; Mak, Chanda (ATG) <chanda.mak@atg.wa.gov>; Burdet, Kevin (ATG) <Kevin.Burdet@ATG.WA.GOV>; Fukano, Harry (UTC) <harry.fukano@utc.wa.gov>; Roberson, Jeff (UTC) <jeff.roberson@utc.wa.gov>; Nguyen-Le, Hang (UTC) <hang.nguyen-le@utc.wa.gov>

**Subject:** TC-200151 - Shuttle Express - Staff DR No. 1 to Shuttle Express

I have attached an electronic copy of Staff's Data Request No. 1 to Shuttle Express. This is an electronic only service. Please contact me should you have problems opening these documents.

Please note: For any documents produced, *filenames may not contain any of the following characters*: [] & ""? <> # {} %  $^{\sim}$  /\\*: + | .

Thank you!

**Betsy DeMarco** 

Legal Assistant AGO/UTC 360-664-1191

Print only when necessary, please.

Overnight mail only: 621 Woodland Square Loop SE Lacey, WA 98503