

From: [Pearson, Rayne \(UTC\)](#)
To: [UTC DL Records Center](#)
Subject: FW: Docket Nos. TC-143691, TC 160516 & TC-161257
Date: Thursday, January 12, 2017 9:40:15 PM

Please file this in the appropriate dockets. Thank you!

From: Wiley, Dave [mailto:dwiley@williamskastner.com]
Sent: Thursday, January 12, 2017 1:57 PM
To: Pearson, Rayne (UTC) <rpearson@utc.wa.gov>
Cc: bharlow@fcclaw.com; Beattie, Julian (UTC) <Jbeattie@utc.wa.gov>; Kopta, Gregory (UTC) <gkopta@utc.wa.gov>; Gruber, Maggi <MGruber@williamskastner.com>
Subject: Docket Nos. TC-143691, TC 160516 & TC-161257

Dear Judge Pearson:

Pursuant to Order 12/05/02 and specifically ¶12 of that Order, below please find a proposed resetting of the schedule in this consolidated matter as recommended by Speedishuttle. Obviously, considering the disparate positions of the two parties on this issue, it is difficult to arrive at any schedule that would be acceptable to Shuttle Express. Nevertheless, this is what we are now proposing, having worked this week with Staff to achieve realistic dates and to avoid the need to have duplicating or iterative testimony from Speedishuttle and/or staff to the original Petition/Complaint and Speedishuttle's Complaint, particularly since the affirmative defenses and the gravamen of Speedishuttle's Complaint are now intertwined. I also provided this proposal (with one other modification to be described) to Mr. Harlow by email on January 10.

On January 11, I was informed by Mr. Beattie that a second session in the rulemaking Docket No. TC-161262 is tentatively scheduled for May 11, thus he and I agreed to adjust forward the proposed evidentiary hearing date by a few days in this matter as you now see below. Docket TC-161262 is obviously directly relevant to auto transportation service and we note the deadline for initial written comments on this matter is January 27 with an initial workshop apparently set for March 2, 2017. Moreover, Speedishuttle now anticipates filing a pleading very shortly seeking confirmation/clarification of the rehearing evidentiary topics and anticipates any formal ruling thereon could aid all parties in the remaining phases of the presentations in this matter which the proposed schedule seeks to accommodate. In addition to accommodating various other hearing and/or trial or travel schedules in this proposal, we have also attempted to provide time for written comments and possible attendance at workshops in Docket TC-161262, factoring in some of these pivotal proposed deadline dates as well as keeping in mind the present briefing schedule in the King County Superior Court Judicial appeal matter. Again, we understand from its interlocutory appeal Shuttle Express is adamantly opposed to *any* delay in this matter but believe the dates proposed are the most realistic we can target in seeking to avoid duplication of time and even greater costs in this process.

Finally, we sincerely hope that the submission of this proposed schedule will not in any way invite yet another formal or informal pleading cycle as we are simply responding to the requirement of your January 5 Order in acknowledging an inability to arrive at an agreed proposed schedule.

TC-143691, TC-160516, TC-161257	Current Deadline	Proposed Deadline
Respondent Testimony and Optional Staff Testimony	January 18, 2017	March 24, 2017

Shuttle Express Rebuttal Testimony	February 10, 2017	April 11, 2017
Speedishuttle Rebuttal Testimony*		May 2, 2017
Discovery Cutoff	February 20, 2017	April 27, 2017
Evidentiary Hearing 9:00 a.m	February 28, 2017	May 8 & 9, 2017
Simultaneous Briefs Due	March 28, 2017	June 12, 2017
DUE Reply Briefs	April 26, 2017	July 14, 2017

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