

EXHIBIT A

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 15. Please identify each person (including entities and individuals) to whom you paid Unauthorized Commissions for referrals or bookings from January 1, 2013 to the present. Include in your description the name, address and phone number of each such person.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express objects to providing its competitor with the identities of its independent contractors. Speedishuttle has a history of hiring Shuttle Express employees/contractors and, in so doing obtaining “non-compete” agreements from them, preventing them from returning to Shuttle Express even if they were dissatisfied with their employment with Speedishuttle. Thus independent contractors’ names and addresses could be used for the improper purpose of luring them away from Shuttle Express. Moreover, the specific identities are irrelevant in the discovery sense, overbroad and unduly burdensome. The request seeks information that is proprietary and competitively injurious to the intended detriment of Shuttle Express.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 16. Describe (and when applicable produce) Arrangements from January 1, 2013 to the present, by which Shuttle Express paid Unauthorized Commissions any hotel, or the employees and contractors of such hotel, including but not limited to the Crowne Plaza, the Hyatt Regency Bellevue and the Westin Seattle.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express also objects that the request seeks information that is proprietary and competitively injurious to the intended detriment of Shuttle Express.

Without waiving the foregoing objections, please see Shuttle Express response to Staff Data Request No. 4. As reflected in that response, Shuttle Express has contracts with agents who sell tickets for Shuttle Express, collect the fares, and remit the fares to Shuttle Express. All such contracts are filed with the Commission. Shuttle Express also has agreements to compensate hotel concierges for referring passengers to Shuttle Express, both for Commission regulated and non-Commission regulated services. Such passengers purchase their tickets directly from Shuttle Express and pay Shuttle Express the full amount of the fare at a tariffed rate, if applicable, or other agreed rate if the service is not subject to tariff. The referring party is compensated for the referral.

Discovery is continuing and this response may be supplemented if and as required.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 17. From January 1, 2013 to the present, please produce cancelled checks or detail reflecting all payments to Ted Milanio (as referenced in Exhibit B to the Complaint), the Westin and/or any other Westin employee, representative or agent.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express also objects that this request seeks information that is proprietary and competitively injurious to the intended detriment of Shuttle Express.

Without waiving the foregoing objections, please see the Shuttle Express response to Staff Data Request No. 7.

Responding Person: Wesley Marks
Date of Response: February 3, 2017
Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 18. Identify each employee, representative, agent, officer or director at Shuttle Express who has knowledge of the persons to whom Unauthorized Commissions were paid between January 1, 2013 and the present. Include in your response the persons with knowledge of payments made from January 1, 2013 to present to: 1) the person identified in Exhibit B to the Complaint, 2) persons described in Data Request Nos. 15, and 3) any similar persons.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express also objects to providing its competitor with the identities of its employees and agents. Speedishuttle has a history of hiring Shuttle Express employees and, in so doing obtaining “non-compete” agreements from them, preventing them from returning to Shuttle Express even if they were dissatisfied with their employment with Speedishuttle. Thus employees’ and agents’ names and addresses could be used for the improper purpose of luring them away from Shuttle Express. Moreover, the specific identities are irrelevant in the discovery sense, overbroad and unduly burdensome. The request seeks information that is proprietary and competitively injurious to the intended detriment of Shuttle Express.

Without waiving the foregoing objections, Mr. Paul Kajanoff and Mr. Wesley Marks have knowledge of Commission payments. Both are witnesses in this cause and will be made available for deposition upon request at a mutually agreeable time and place.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 19. For each person to whom Unauthorized Commissions have been paid during the period of January 1, 2013 to the present, produce documents from which the total commissions paid can be determined, including but not limited to cancelled checks, receipts reflecting payment, invoices, or other written requests for payment.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith. This question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding.

Without waiving the foregoing objections, see Shuttle Express response to Staff Data Request Nos. 4-7.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 20. Describe the total numeric amount in dollars of all Unauthorized Commissions paid by Shuttle Express during the period of January 1, 2013 to the present.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith. This question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding.

Without waiving the foregoing objections, see Shuttle Express response to Staff Data Request No. 4-7.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 21. For each reservation with Shuttle Express from January 1, 2013 to date to or from SeaTac Airport, excluding the Exemption Periods, that was fulfilled by Rescue Service, provide the following information including, but not limited to, date/time stamps for:

- reservation time of day,
- ready to go time of day,
- on board time of day,
- drop off location and drop off time of day,
- pick up location and pick up time of day,
- original booked service type,
- actual completed service type,
- number of passengers,
- the actual fare(s) paid,
- the number of passengers carried in each vehicle on the same trip,
- the number and location of stops per trip, and
- the time for each trip.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith. This question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the apparent unavailability of a protective order in this proceeding.

Without waiving the foregoing objections, see Shuttle Express response to Staff Data Request Nos. 2 and 3.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 22. Identify individuals at Shuttle Express who have knowledge or decision making authority regarding whether or not to provide Rescue Service, or any other similarly or related concessions, including but not limited to those referenced in Exhibit A to the Complaint, the Declaration of Jimmy [*sic*] Sherrell in Support of Petition for Exemption, Docket No. TC-132141, at ¶3 (“rescue [service] has always been essential to successful operation of Shuttle Express’s share ride service and always will be”), or Data Request No. 24, from January 1, 2013 to the present, excluding the Exemption Periods.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express also objects to providing its competitor with the identities of its employees and agents. Speedishuttle has a history of hiring Shuttle Express employees and, in so doing obtaining “non-compete” agreements from them, preventing them from returning to Shuttle Express even if they were dissatisfied with their employment with Speedishuttle. Thus employees’ and agents’ names and addresses could be used for the improper purpose of luring them away from Shuttle Express. Moreover, the specific identities are irrelevant in the discovery sense, overbroad and unduly burdensome. The request seeks information that is proprietary and competitively injurious to the intended detriment of Shuttle Express.

Without waiving the foregoing objections, Mr. Paul Kajanoff and Mr. Wesley Marks have knowledge of the auto transportation, charter, and limousine services provided by Shuttle Express. Both are witnesses in this cause and will be made available for deposition upon request at a mutually agreeable time and place.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 23. Please produce all documents reflecting, establishing or tending to establish each instance in which Rescue Service, or any other concession, was provided, (as described in Data Request Nos. 22 above) to any individual(s) holding a reservation for share ride or scheduled service with Shuttle Express, who Shuttle Express was unable to transport during the period from January 1, 2013 to the present, excluding the Exemption Periods. Include all documents and communications with the individuals identified on the attached Exhibit A.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith. This question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding.

Without waiving the foregoing objections, see Shuttle Express response to Staff Data Request Nos. 4-7.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
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Data Request No. 24. Please produce all documents reflecting complaints from any individuals related to, or resulting in, the provision of Rescue Service, taxi service, or other alternative means of transportation or reimbursement (as described in Data Request Nos. 22 above) from January 1, 2013 to the present, excluding the Exemption Periods.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith. This question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding.

Without waiving the foregoing objections, Shuttle Express is not aware of a single documented complaint for any of the services described and identified in the responses to Staff Data Request Nos. 4-7.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 25. Identify each individual or entity providing taxi service, limo service, town car service, and/or other transportation service utilized by Shuttle Express between January 1, 2013 and December 15, 2013, to provide rescue service.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Speedishuttle has a history of hiring Shuttle Express employees/contractors and, in so doing obtaining “non-compete” agreements from them, preventing them from returning to Shuttle Express even if they were dissatisfied with their employment with Speedishuttle. Thus employees and independent contractors’ names and addresses could be used for the improper purpose of luring them away from Shuttle Express. Moreover, the specific identities are irrelevant in the discovery sense, overbroad and unduly burdensome.

Responding Person: Wesley Marks
Date of Response: February 3, 2017
Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 26. Identify each individual or entity providing taxi service, limo service, town car service and/or other transportation provider utilized by Shuttle Express to transport passengers between December 15, 2013 through January 15, 2014 under the temporary exemption issued by the WUTC in Docket No. TC-132141.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Speedishuttle has a history of hiring Shuttle Express employees/contractors and, in so doing obtaining “non-compete” agreements from them, preventing them from returning to Shuttle Express even if they were dissatisfied with their employment with Speedishuttle. Thus employees and independent contractors’ names and addresses could be used for the improper purpose of luring them away from Shuttle Express. Moreover, the specific identities are irrelevant in the discovery sense, overbroad and unduly burdensome.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 27. Identify each individual or entity providing taxi service, limo service, town car service and/or other transportation utilized by Shuttle Express to transport passengers between January 16, 2014 through November 27, 2016 under the temporary exemption issued by the WUTC in Docket No. TC-132141.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Speedishuttle has a history of hiring Shuttle Express employees/contractors and, in so doing obtaining “non-compete” agreements from them, preventing them from returning to Shuttle Express even if they were dissatisfied with their employment with Speedishuttle. Thus employees and independent contractors’ names and addresses could be used for the improper purpose of luring them away from Shuttle Express. Moreover, the specific identities are irrelevant in the discovery sense, overbroad and unduly burdensome.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 28. Produce documents reflecting all payments made to independent contractors or third parties for provision of Rescue Service during the period of December 16, 2014 through November 27, 2016.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Speedishuttle has a history of hiring Shuttle Express employees/contractors and, in so doing obtaining “non-compete” agreements from them, preventing them from returning to Shuttle Express even if they were dissatisfied with their employment with Speedishuttle. Thus employees and independent contractors’ names and addresses could be used for the improper purpose of luring them away from Shuttle Express. Moreover, the specific identities are irrelevant in the discovery sense, overbroad and unduly burdensome.

Without waiving the foregoing objections, please see the Shuttle Express responses to Staff Data Request Nos. 2 and 7.

Responding Person: Wesley Marks
Date of Response: February 3, 2017
Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 29: Produce a list of all independent contractors or third parties (similar to the attached Exhibit A) who Shuttle Express utilized to provide Rescue Service during the period of December 16, 2014 through November 27, 2016.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Speedishuttle has a history of hiring Shuttle Express employees/contractors and, in so doing obtaining “non-compete” agreements from them, preventing them from returning to Shuttle Express even if they were dissatisfied with their employment with Speedishuttle. Thus employees and independent contractors’ names and addresses could be used for the improper purpose of luring them away from Shuttle Express. Moreover, the specific identities are irrelevant in the discovery sense, overbroad and unduly burdensome.

Responding Person: Wesley Marks
Date of Response: February 3, 2017
Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 30: Produce all of Shuttle Express' independent contractor agreements which remained in effect during the period of December 16, 2014 through November 27, 2016.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. To start, Speedishuttle has a history of hiring Shuttle Express employees/contractors and, in so doing obtaining "non-compete" agreements from them, preventing them from returning to Shuttle Express even if they were dissatisfied with their employment with Speedishuttle. Thus employees and independent contractors' names and addresses could be used for the improper purpose of luring them away from Shuttle Express. The specific identities are irrelevant in the discovery sense, overbroad and unduly burdensome. Moreover, other information contained in the contracts and even contract templates contain highly confidential information regarding proprietary business methods that would be unfairly beneficial if shared publicly, let alone with a competitor.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 31. Describe separately Shuttle Express' average variable cost for providing a door-to-door share ride trip from Sea-Tac Airport to each of the following locations: downtown Seattle; downtown Bellevue; and Sammamish, Washington.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service. If, and only if, Respondent can show significant relevance to the case, narrow its request to more appropriate aggregate data, agree to reasonable protections for the use and public disclosure of the data, and agree reciprocate by sharing data of the same character with Shuttle Express under the same conditions, then Shuttle Express would consider amending its response accordingly.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 32. Identify the number of adult passengers which Shuttle Express must transport on a round-trip fare for its fares to exceed average variable cost for a door-to-door share ride trip from Sea-Tac Airport to each of the following locations: downtown Seattle; downtown Bellevue; and Sammamish, Washington.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service. If, and only if, Respondent can show significant relevance to the case, narrow its request to more appropriate aggregate data, agree to reasonable protections for the use and public disclosure of the data, and agree reciprocate by sharing data of the same character with Shuttle Express under the same conditions, then Shuttle Express would consider amending its response accordingly.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 33. Describe separately Shuttle Express' present average total cost for providing a door-to-door share ride trip from Sea-Tac Airport to each of the following locations: downtown Seattle; downtown Bellevue; and Sammamish, Washington.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service. If, and only if, Respondent can show significant relevance to the case, narrow its request to more appropriate aggregate data, agree to reasonable protections for the use and public disclosure of the data, and agree reciprocate by sharing data of the same character with Shuttle Express under the same conditions, then Shuttle Express would consider amending its response accordingly.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 34. Identify the number of adult passengers which Shuttle Express must transport on a round-trip fare for its fares to exceed average total cost for a door-to-door share ride trip from Sea-Tac Airport to each of the following locations: downtown Seattle; downtown Bellevue; and Sammamish, Washington.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service. If, and only if, Respondent can show significant relevance to the case, narrow its request to more appropriate aggregate data, agree to reasonable protections for the use and public disclosure of the data, and agree reciprocate by sharing data of the same character with Shuttle Express under the same conditions, then Shuttle Express would consider amending its response accordingly.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

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Data Request No. 35. Admit that Shuttle Express has made door-to-door share ride trips for which its fares received do not exceed its average variable cost.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service. If, and only if, Respondent can show significant relevance to the case, narrow its request to more appropriate aggregate data, agree to reasonable protections for the use and public disclosure of the data, and agree reciprocate by sharing data of the same character with Shuttle Express under the same conditions, then Shuttle Express would consider amending its response accordingly.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
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SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 36. Admit that Shuttle Express made door-to-door share ride trips for which its fares received did not exceed its average variable cost prior to Speedishuttle's certificate application in Washington.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service. If, and only if, Respondent can show significant relevance to the case, narrow its request to more appropriate aggregate data, agree to reasonable protections for the use and public disclosure of the data, and agree reciprocate by sharing data of the same character with Shuttle Express under the same conditions, then Shuttle Express would consider amending its response accordingly.

Responding Person: Wesley Marks
Date of Response: February 3, 2017
Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 37. Admit Shuttle Express has made door-to-door share ride trips for which its fares received do not exceed its average total cost.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service. If, and only if, Respondent can show significant relevance to the case, narrow its request to more appropriate aggregate data, agree to reasonable protections for the use and public disclosure of the data, and agree reciprocate by sharing data of the same character with Shuttle Express under the same conditions, then Shuttle Express would consider amending its response accordingly.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 38. Admit that Shuttle Express made door-to-door share ride trips for which its fares received did not exceed its average total cost prior to Speedishuttle's certificate application in Washington.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service. If, and only if, Respondent can show significant relevance to the case, narrow its request to more appropriate aggregate data, agree to reasonable protections for the use and public disclosure of the data, and agree reciprocate by sharing data of the same character with Shuttle Express under the same conditions, then Shuttle Express would consider amending its response accordingly.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 39. Admit Shuttle Express' average variable cost for providing door-to-door share ride service exceeds the total fares charged for two people, booked together, consisting of a single adult passenger travelling with a single child passenger.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service. If, and only if, Respondent can show significant relevance to the case, narrow its request to more appropriate aggregate data, agree to reasonable protections for the use and public disclosure of the data, and agree reciprocate by sharing data of the same character with Shuttle Express under the same conditions, then Shuttle Express would consider amending its response accordingly.

Responding Person: Wesley Marks
Date of Response: February 3, 2017
Witness: Wesley Marks

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
DOCKET NOS. TC-143691 AND TC-160516
SECOND DATA REQUESTS OF RESPONDENT SPEEDISHUTTLE
ANSWERS AND OBJECTIONS OF PETITIONER SHUTTLE EXPRESS, INC.

Data Request No. 40. Admit Shuttle Express' average variable cost for providing door-to-door share ride service exceeds the total fare charged for a single adult passenger.

RESPONSE:

Shuttle Express objects to the terminology and definitions purportedly applied to each and every data request. The terms and definitions are biased in nature and responses that acknowledge such terminology could be prejudicial or misleading.

Shuttle Express further objects to this request as overbroad, unduly burdensome, irrelevant in the discovery sense, imposed for an improper competitive and harassing purpose and not made in good faith.

Moreover, Shuttle Express objects that this question seeks proprietary and competitively damaging information and is thus sought for an improper purpose, particularly in light of the unavailability of a protective order in this proceeding. Sharing specific cost and revenue data with a competitor would essentially, and unfairly, enable that competitor to target its services, marketing, and fares to better compete with Shuttle Express for the most profitable territories and services and to avoid competing for the less profitable or unprofitable territories an service. If, and only if, Respondent can show significant relevance to the case, narrow its request to more appropriate aggregate data, agree to reasonable protections for the use and public disclosure of the data, and agree reciprocate by sharing data of the same character with Shuttle Express under the same conditions, then Shuttle Express would consider amending its response accordingly.

Responding Person: Wesley Marks

Date of Response: February 3, 2017

Witness: Wesley Marks