

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

BREMERTON-KITSAP AIRPORTER, )	DOCKET TC-110230
INC., )	
	) ORDER 03
Complainant, )	
v. )	
	) ORDER GRANTING REQUEST FOR
SHUTTLE EXPRESS, INC., )	LEAVE TO WITHDRAW
	) COMPLAINT AND VACATING
Respondent. )	PROCEDURAL SCHEDULE
..... )	

**BACKGROUND**

- 1 On February 2, 2011, Bremerton-Kitsap Airporter, Inc. (Bremerton-Kitsap Airporter or Complainant) filed with the Washington Utilities and Transportation Commission (Commission) a formal complaint against Shuttle Express (Respondent). On February 23, 2011, Shuttle Express filed an answer to the complaint.
- 2 The Commission granted two joint requests to delay processing the complaint to allow the parties to pursue settlement opportunities. On October 25, 2011, the Commission convened a telephonic status conference. During the conference, the parties agreed that the issues in this case should be resolved through legal briefing and by Notice issued on October 28, 2011, the Commission established a briefing schedule.
- 3 On February 8, 2012, Bremerton-Kitsap Airporter filed a request for leave to withdraw complaint. On February 9, 2012, Shuttle Express filed its nonopposition.

**DISCUSSION AND DECISION**

- 4 *Request for Leave to Withdraw Complaint.* The Commission’s rule, WAC 480-07-380(3)(b), provides that a party may withdraw from a proceeding only upon permission granted by the Commission if the Commission has commenced an adjudicative proceeding. The Commission will grant a party’s motion if it is in the public interest. In this case, the Complainant no longer wishes to pursue this action

and there is no opposition. The Commission concludes that withdrawal is in the public interest under these circumstances.

- 5 *Procedural Schedule.* The Commission established a procedural schedule in this matter to resolve the disputed issues through legal briefing. The current procedural schedule is vacated. Further, the Commission closes Docket TC-110230.

DATED at Olympia, Washington, and effective February 10, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PATRICIA CLARK  
Administrative Law Judge

**NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-07-850, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-07-870.**