

EXH. \_\_, PK-3

DATE PREPARED: April 3, 2017  
DOCKET: TC-143691, TC-160516  
REQUESTER: Shuttle Express, Inc.

WITNESS: Jack Roemer  
RESPONDER: Jack Roemer  
TELEPHONE: (206) 233-2895

**Data Request No. 71:**

Regarding Mr. Roemer's testimony at page 36 that SpeediShuttle's greeter staffing is appropriate, please provide duty rosters or sufficient data to show scheduling and hours of staffing, numbers of greeters by shifts/days of week/or other period, languages of the assigned staff, and actual or projected number of flights and passengers to be greeted during each period.

**RESPONSE to Data Request No. 71:**

Speedishuttle again objects that this request seeks information which is irrelevant to the scope of this proceeding and the discovery permitted herein as defined by the Administrative Law Judge at a hearing on September 27, 2016. Specifically, this request does not seek or lead to information which can assist the Commission in determining whether Speedishuttle is providing greeters or "doing its best" to provide multilingual greeters. This inquiry instead appears to seek information that would critique qualitative factors regarding the staffing of greeters and not whether "multilingual receptive teams" have been provided. Further, the information is either unavailable or unduly burdensome to locate and produce. The issue raised by Mr. Roemer was addressing a specific claim made by Mr. DeLeo for a specific date and time, not a generalized discussion of all times and all dates for greeters, and Mr. Roemer, in addressing greeter numbers only responded to the specific incidents raised by Mr. DeLeo. Thus, Mr. Roemer's specific denial of Mr. DeLeo's allegation once again does not "open the door" to invasive discovery to bolster responsive testimony by Shuttle Express which does not rebut Mr. Roemer's specific testimony (and is thus out of sequence).

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**Data Request No. 72:**

Regarding Mr. Roemer's testimony at page 36, please provide a copy of any and all complaints, questions, or concerns expressed to SpeediShuttle about its greeter services received in 2016, including any notes of oral communications.

**RESPONSE to Data Request No. 72:**

This request seeks information which is irrelevant in the discovery sense and is not reasonably calculated to lead to the discovery of admissible evidence. This request seeks information which is not pertinent to the testimony of Jason DeLeo or Wesley Marks, who testified about specific instances. Mr. Roemer's rebuttal questioned the foundation of Mr. Marks' testimony and provided a specific denial of Mr. DeLeo's testimony. Neither of these responses somehow "opened the door" to require Speedishuttle to respond to this burdensome and harassing request regarding "all complaints" about Speedishuttle's greeters.

However, Speedishuttle sought information from Shuttle Express through its Data Request No. 7 regarding formal complaints against Shuttle Express, which were indeed relevant to Speedishuttle's contention that Shuttle Express has historically failed to provide service to the satisfaction of the commission and was doing so at the time of Speedishuttle's application. There, Shuttle Express refused to respond, objecting as follows:

**RESPONSE:** Shuttle Express objects that this request is not reasonably calculated to lead to the discovery of admissible evidence because the facts sought are not material in any way to the Petition for Rehearing, the Complaint, defenses, nor the Counterclaim. Moreover, the request, going back over 25 years, is oppressive and unduly burdensome, as Shuttle Express does not retain such old documents or does not retain them in a way that they can be readily collected and summarized. The information sought should be available from the UTC on its website or via a request for public records, making it as easy for Respondent to obtain the information as for Shuttle Express. Based on its statements and briefing in Docket No. TC-143691, it appears that Respondent is already aware of the most recent UTC complaint as well as older ones.

To the extent this request seeks formal complaints against Speedishuttle, those are likewise available from the UTC.

SPEEDISHUTTLE'S RESPONSES TO SHUTTLE EXPRESS'  
THIRD DATA REQUESTS - 40

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