

RECEIVED
RECORDS MANAGEMENT

04 APR 29 AM 9:16

STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In Re Application of Barry
and Amy Muhlbaier, d/b/a
Specialized Transport

NO. TC-040369
D079257

COMES NOW Protestant Bremerton Kitsap Airporter, Inc., by and through its attorney JAMES K. SELLS, and protests the above-referenced application and in doing so alleges and prays as follows:

1) Bremerton Kitsap Airporter, Inc. is a Washington corporation with its principal place of business in Kitsap County, Washington. It provides transportation to and from SeaTac Airport and points in Kitsap and Pierce Counties pursuant to WUTC permit C-903, a true copy of which is attached hereto and by this reference made a part hereof.

2) Portions of the above-referenced application seek authority to serve areas presently served by applicant pursuant to its WUTC certificate. Protestant has invested significant funds to serve customers in those areas and a grant of overlapping authority would be detrimental to that investment and contrary to the public interest. The service sought in this application therefore is not required by the public convenience and necessity.

3) Applicant cannot establish its fitness to conduct operations as applied for nor its compliance with the laws and

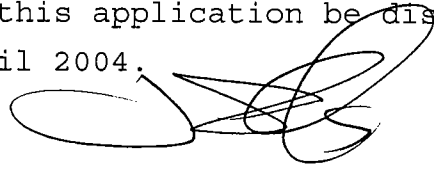
1 regulations of the State of Washington and the Washington
2 Utilities and Transportation Commission.

3 4) Protestant will appear at any hearing held in this
4 matter and will present two to four witnesses whose testimony is
5 anticipated to take two to three hours.

6 5) An amendment to this application excluding those areas
7 served by Protestant would satisfy Protestant's interests herein,
8 and if such amendment were offered and accepted this protest
9 would be withdrawn.

10 **WHEREFORE** Protestant prays this application be dismissed.

11 DATED this 27 day of April 2004.



12 _____
13 JAMES K. SELLS
14 WSBA No. 6040
15 Attorney for Protestant
16 RYAN SELLS UPTEGRAFT, INC. P.S.
17 9657 Levin Rd. NW, Suite 240
18 Silverdale, WA 98383
19 (360) 307-8860

CERTIFICATE OF SERVICE

1 I hereby certify that on this day a true copy of the
2 foregoing PROTEST OF BREMERTON KITSAP AIRPORTER, INC. was served
3 by first class mail, postage prepaid, on:

4 Barry and Amy Muhlbaier
5 d/b/a A&B Specialized Transport
6 601 204th Ave. Ct.
7 Lakebay, WA 98349

8 I swear under penalty of perjury of the laws of the State of
9 Washington that the foregoing is true and correct.

10 DATED this 28th day of April 2004 at Silverdale, Kitsap
11 County, Washington.

12 
13 Cheryl L. Sinclair

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

For the Operation of Motor Propelled Vehicles

pursuant to the provisions of Chapter 81 RCW

THIS IS TO CERTIFY that authority is granted to operate as a **MOTOR CARRIER** in the transportation of the commodities and in the territory described herein to

Bremerton-Kitsap Airporter, Inc.
d/b/a Bremerton-Kitsap Airporter
Kitsap-Seatac Airporter, Inc.,
The Sound Connection
P.O. Box 1255
Port Orchard, WA 98366

PERMIT NO.
C-903

D-5

PASSENGER AND EXPRESS SERVICE

BETWEEN:

Bangor Submarine Base or Poulsbo and Seattle-Tacoma International Airport, via SR 305, SR 3, SR 16 and I-5; or as alternate routes for convenience of the carrier, any combination of SR 305, SR 3, SR 304, SR 160, SR 16, Washington State Ferry Docks at Winslow, Bremerton, Southworth, Seattle or Fauntleroy, SR 99, I-5, SR 509, SR 513 and SR 518, including connecting streets and roads.

LIMITATIONS:

1. No local service is authorized.
2. Service between the corner of Bantz Blvd. and Sixth Ave. in Tacoma and the Seattle-Tacoma International Airport is restricted to closed-door operations.
3. Service when utilizing alternate routes is restricted to closed-door operations unless otherwise authorized in this certificate.

**WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION**

By Thomas Fisher



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Continuation

Bremerton-Kitsap Airporter, Inc.
d/b/a Bremerton-Kitsap Airporter,
Kitsap-Seatac Airporter, Inc.,
The Sound Connection
C-903

PAGE 2

BETWEEN:

Fort Lewis or McChord Air Force Base and the Seattle-Tacoma International Airport via I-5 and SR 99, including connecting streets and roads.

LIMITATIONS:

1. No local service is authorized.
2. Service between Fort Lewis or McChord Air Force Base and the Seattle-Tacoma International Airport is restricted to closed-door operations.

M. V. C. No. 1443

5-11-84

