

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. 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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