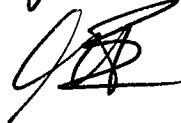


MEMORANDUM

April 29, 2004

4/30/04
I agree


TO: Gene Eckhardt, Regulatory Services
Assistant Director, Transportation and Water Section

FROM: Bonnie Allen, Regulatory Analyst 

SUBJECT: Application No. D-79265 - Docket No. TC-040539

Applicant Transferee: Miller & Schmer, Inc.
d/b/a Seattle Express
7207 - 180th Street SE
Snohomish, WA 98296

Applicant Transferor: Seattle Express, Inc.
PO Box 66752
Seattle, WA 98166

Discussion

Seattle Express, Inc., and Miller and Schmer, Inc., d/b/a Seattle Express, filed jointly filed Application No. D-79265 in Docket No. TC-040539. D-79265 is an application for transfer of all rights under auto transportation company Certificate No. C-1052 from Seattle Express, Inc., to Miller and Schmer, Inc., d/b/a Seattle Express. The application appeared on the March 29, 2004, application docket. No one filed a protest during the 20-day protest period. No one filed a petition to intervene. No one filed a contemporaneous application for overlapping authority.

Certificate No. C-1052 authorizes passenger service between hotels in the city of Renton; and Pike Place Market; between hotels in the city of SeaTac and South Center Mall, Pike Place Market, and Cruise Terminals #66 and #30 in the city of Seattle; and between hotels in the city of Tukwila, South Center Mall, Pike Place Market, and Cruise Terminals #66 and #30 in the city of Seattle.

Under the provisions of RCW 81.68.040 any right privilege, certificate held, owned or obtained by any auto transportation company may be sold, assigned, leased, transferred or inherited as other property, only upon authorization by the commission.

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There are no consumer complaints, compliance actions, or administrative penalties pending against this carrier.

Recommendation

Staff has received no information indicating that this application should be set for hearing. Therefore, I recommend this application be granted without hearing and forwarded to Licensing Services staff for processing.

Notes to Licensing staff:

1. The applicant must either adopt Seattle Express, Inc.'s, current tariff and schedule or file its own matching tariff and schedule before the transfer of this certificate may be finalized. (The application includes a copy of the Seattle Express, Inc., tariff, but no tariff adoption notice.)
2. Seattle Express, Inc. must file its closing report (with no regulatory fee payment) for the period of January 1, 2004 to April 30, 2004.