

*Lisa Lloyd 10/13/2004*



**Bonnie Allen/WUTC**

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To Lisa Lloyd/WUTC@WUTC

cc Gene Eckhardt/WUTC@WUTC, Teri  
Wallace/WUTC@WUTC, Tina Leipski/WUTC@WUTC

bcc

Subject All-Ways Transportation, Inc., Docket TC041320

Lisa,

Application D-79292, in Docket TC-041320, is an application filed by All-Ways Transportation, Inc., for authority to provide passenger transportation service, door-to-door, by reservation only, between Clarkston, Pullman, and the Spokane International Airport.

The application appeared on the August 30, 2004, application docket. We received no protests or petitions for intervention during the 20 day protest period required by WAC 480-30-032(1). The file was held an additional 10 days to allow for any contemporaneous applications for overlapping authority under the provisions of WAC 480-30-032(2).

RCW 81.68.040 gives the commission power, after hearing, to issue a certificate to an applicant requesting authority to serve a territory already served by an existing certificate holder, and then only if the existing certificate holder will not provide service to the satisfaction of the commission.

The territory requested in this application appears to partially overlap the authority held by Wheatland Express, Inc., in Certificate No. C-1078. C-1078 authorizes passenger transportation service between Pullman, Colfax, and Spokane International Airport. Even though Wheatland did not protest, I believe the provisions of RCW 81.68.040 still require the Commission to hold a hearing before it may grant the application and issue a certificate to the applicant.

Please route copies of TC-041320 to ALD & AG's to set for hearing.

(Lisa, I already have my copy, so you don't need to send me another. Thanks!)

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