

[Service Date June 24, 2004]

June 24, 2004

**NOTICE OF ADDITIONAL HEARING DAY
(Scheduled for July 19, 2004 at 10:00 a.m.)**

**NOTICE OF TIME TO FILE WITNESS SUMMARIES
AND PROPOSED EXHIBITS
(Due by Tuesday, June 29, 2004 at Noon)**

RE: *In the Matter of the Application of Aqua Express LLC for a Certificate of Public Convenience and Necessity to Operate Commercial Ferry Service;*
Docket No. TS-040650.

TO ALL PARTIES OF RECORD:

During the hearings held in this proceeding on June 21 and 22, 2004, it became clear that an additional day of hearing is necessary beyond the hearing time scheduled for July 1, 2004, to hear the testimony of witnesses sponsored by Commission Staff and the Inlandboatmen's Union of the Pacific (IBU). **The Commission will hold an additional day of hearing in this proceeding on Monday, July 19, 2004 beginning at 10:00 a.m. in the Main Hearing Room, Second Floor, of the Chandler Plaza Building, 1300 S. Evergreen Park Drive S. W., Olympia, Washington.**

The procedural schedule in this proceeding, as modified in Order No. 03, required all parties to identify witnesses, provide statements summarizing the testimony of those witnesses' and to provide copies of proposed exhibits by June 16, 2004, and required the applicant to identify shipper need witnesses by June 28, 2004. Staff and Kitsap Transit each identified a witness, but stated that they would determine after the applicant presented its case whether to call these witnesses. The IBU did not identify any witnesses, but indicated they may call witnesses after hearing the applicant's case. Kitsap Transit has now stated that it will not call a witness in the proceeding.

On or by Noon on June 29, 2004, the applicant, Commission Staff, and the IBU must identify any witnesses to be presented at the hearings scheduled for July 1 and July 19, 2004, provide a brief summary of the witness' testimony, and provide copies of any exhibits the witness will sponsor during his or her testimony.

Parties who fail to meet this requirement may lose the opportunity to present witnesses during these hearings. Parties may submit witness statements and exhibits to the Commission electronically or via facsimile on Tuesday, June 29, 2004, pursuant to WAC 480-07-145(6) by sending the response to records@wutc.wa.gov, and ensuring that a paper copy is filed with the Commission by Wednesday, June 30, 2004.

Sincerely

ANN E. RENDAHL
Administrative Law Judge