

MEMORANDUM

October 16, 2003

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

FROM: Bonnie Allen, Regulatory Analyst

SUBJECT: Commercial Ferry Certificate – Acquisition of Control
Application No. B-79207 - Docket No. T~~6~~6-031237

Applicant: Michael W. Bennett – Owner and Manager

I agree
[Signature]

[Signature]

Pacific Boat Enterprises, LLC
d/b/a Mosquito Fleet
1724 West Marine View Drive, Suite #140
Everett, WA 98201

Discussion

Michael W. Bennett and Pacific Boat Enterprises, LLC filed joint application B-79207 in docket T~~6~~6-031237. B-79207 is an application to acquire control of Commercial Ferry Certificate of Public Convenience and Necessity No. BC-125.

The application appeared on the August 11, 2003, application docket. No one filed a protest during the 30-day protest period. No one filed a petition to intervene.

Certificate No. B-125 authorizes: Passenger, freight, and excursion service between Everett and Friday Harbor with Flag Stops at Rosario and Roach Harbor.

Under RCW 81.84.030, no certificate or any right or privilege thereunder held, owned, or obtained under the provisions of Chapter 81.84 RCW may be sold, assigned, leased, mortgaged, or in any manner transferred, either by the act of the parties or by operations of law, except upon authorization by the Commission.

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

Recommendation

No hearing is required in this application and there are no issues that suggest staff should ask the Commission to set the application for hearing. Therefore, I recommend this application be forwarded to Licensing Staff to process and prepare an order to grant the application for acquisition of control without a hearing.

Notes to Staff

- This is an acquisition of control so the corporation that currently holds the certificate remains unchanged, only the controlling interest of the corporation has changed.