**BEFORE THE WASHINGTON STATE**

**UTILITIES AND TRANSPORTATION COMMISSION**

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| In the Matter of Cancellation of Certificate of PACIFIC AGING COUNCIL ENDEAVORS For Failure to File Annual Safety Reports and Pay Regulatory Fees. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .  | ))))))))) | DOCKET TN-111553ORDER 01ORDER CANCELLING CERTIFICATE OF PACIFIC AGING COUNCIL ENDEAVORS |

1. **Background and Procedural History.** On September 2, 2011, the Commission issued to Pacific Aging Council Endeavors a Notice of Intent to Cancel Certification as a Nonprofit Bus and Opportunity to Request a Hearing for failure to file a 2010 annual safety report and pay regulatory fees for 2011.
2. WAC 480-31-052(2)(b) provides that the Commission may cancel a private, nonprofit transportation provider’s certificate for failure to file its required annual safety report or pay its regulatory fees.
3. **Nature of Proceeding.** The Washington Utilities and Transportation Commission (Commission) initiated this proceeding to cancel the certificate to provide nonprofit bus services in the state of Washington of Pacific Aging Council Endeavors for failure to file a 2010 annual safety report and pay regulatory fees for 2011.
4. **Discussion and Decision:** The Notice of Intent to Cancel Certificate informed Pacific Aging Council Endeavors that the Commission was taking action due to its failure to comply with Commission statutes and rules.
5. The notice gave Pacific Aging Council Endeavors the option, within 30 days of service of the notice, to come into compliance with Commission statutes and rules by submitting the delinquent annual safety report and paying the delinquent regulatory fees, or to request a hearing to demonstrate why its certificate should not be cancelled.
6. Pacific Aging Council Endeavors failed to come into compliance by filing its 2010 annual safety report. The Notice was mailed to Pacific Aging Council Endeavors by certified return receipt and first class mail to the address on file with the Commission. The certified return receipt mail was returned as “unclaimed,” and the first class mail envelope was marked “return to sender.” Staff conducted additional research and was unable to locate a valid address or telephone number for Pacific Aging Council Endeavors. The company appears to have gone out of business.
7. Staff recommends the cancellation of Pacific Aging Council Endeavors nonprofit bus certificate for failure to file its 2010 annual safety report and pay 2011 regulatory fees.
8. Based on the above facts, good cause exists under WAC 480-31-052(2)(b) to cancel the nonprofit bus certificate of Pacific Aging Council Endeavors.

**ORDER**

1. THE COMMISSION ORDERS That the nonprofit bus certificate of Pacific Aging Council Endeavors is cancelled.

DATED at Olympia, Washington, and effective October 13, 2011.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

 DAVID W. DANNER

 Executive Director and Secretary

**NOTICE:** This is an order delegated to the Secretary, or the Secretary’s delegate, for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet website for at least 14 days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission’s website.

The Commission will schedule your request for review by issuing a notice of hearing to be held before an administrative law judge. The Commission, at its discretion, may consider your request for review in an adjudicative proceeding under RCW 34.05 Part IV, or in a brief adjudicative proceeding under RCW 34.05.482 through .494. Following hearing, the administrative law judge will enter an initial order. If you wish to seek review of the initial order, you may file a petition for administrative review under RCW 34.05.464, or if the matter is heard in a brief adjudicative proceeding, under RCW 34.05.491.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission’s website.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-905, as amended effective September 22, 2008.