



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
621 Woodland Square Loop S.E., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • www.utc.wa.gov

January 8, 2020

NOTICE CANCELING BRIEF ADJUDICATIVE PROCEEDING

RE: *In the Matter of the Investigation of Friday Harbor Jolly Trolley, Inc., d/b/a Friday Harbor Jolly Trolley and Leavenworth Jolly Trolley, for Compliance with WAC 480-30-221, Docket TE-191003*
In the Matter of the Penalty Assessment against Friday Harbor Jolly Trolley, Inc., d/b/a Friday Harbor Jolly Trolley and Leavenworth Jolly Trolley, in the Amount of \$6,100 for violations of WAC 480-30-221, Docket TE-191002

TO ALL PARTIES:

In November and December of 2019, regulatory staff (Staff) of the Washington Utilities and Transportation Commission (Commission) conducted a compliance review of Friday Harbor Jolly Trolley, Inc., d/b/a Friday Harbor Jolly Trolley and Leavenworth Jolly Trolley, (Jolly Trolley or Company) and documented 167 violations of Washington Administrative Code 480-30. Based on these violations, Staff proposed the Company receive an “unsatisfactory” safety rating.

On December 19, 2019, the Commission issued a Notice of Intent to Cancel Certificate as a Passenger Transportation Company (Notice) informing Jolly Trolley that the Commission will cancel the Company’s charter and excursion carrier permit effective January 20, 2020, unless the Company obtains Commission approval of a safety management plan prior to that date. The Notice required Jolly Trolley to file a proposed safety management plan by January 2, 2020, and set a brief adjudicative proceeding (BAP) for January 9, 2020.

Also on December 19, 2019, the Commission issued a Penalty Assessment in the amount of \$6,100 for the violations discovered during Staff’s compliance review. On January 2, 2020, Jolly Trolley filed an application for mitigation of the penalty.

On January 8, 2020, Staff informed the presiding officer that the Company had submitted to Staff a proposed safety management plan. Staff evaluated the proposed plan and determined it is acceptable. As such, Staff recommends the Commission cancel the BAP and enter an order addressing the Company's safety rating based on the evidence in the record.

Staff also explained that it confirmed that the Company waives its right to a hearing with respect to both dockets. Based on the parties' request to cancel the hearing, as well as Staff's approval of the Company's safety management plan, the Commission finds good cause to cancel the BAP set for January 9, 2020, at 1:30 p.m. and to enter an order based on the evidence in the record.

THE COMMISSION GIVES NOTICE That the brief adjudicative proceeding in Dockets TE-191002 and TE-191003 set for January 9, 2020, at 1:30 p.m. is canceled.

/s/ Rayne Pearson

RAYNE PEARSON

Administrative Law Judge