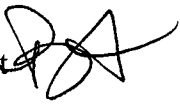


MEMORANDUM


May 12, 2004

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

FROM: Bonnie L. Allen, Regulatory Analyst 

SUBJECT: Application: D79264 Docket TC-040471

Edward Masters
d/b/a Orcas Island Shuttle
PO Box 208
Orcas, WA 98280

5/13/04
I agree.


On March 11, 2004, Mr. Edward Masters, d/b/a Orcas Island Shuttle, filed Application No. D-79264 in Docket No. TC-040471 for a new auto transportation company certificate of public convenience and necessity to provide passenger service on Orcas Island between the Orcas Ferry landing (Orcas) and Lieberhaven Resort (Olga) and all intermediate points via the following routes: Orcas Road, Pinned Road, Beth Ridge Road, Crow Valley Road, Main Street, North Beach Road, Mt. Baker Road, Olga Road, Rosario Road, Pt. Lawrence Road, and Destruction Pass Road.

Application No. D-79264 appeared on the Commission's April 5, 2004, application docket. No one filed a protest, petition to intervene, or application for overlapping authority during the docket and protest period. No existing auto transportation company certificate of public convenience and necessity appears to include authority to provide the proposed service in the territory requested.

The applicant filed a complete application and has no outstanding penalties, fines, administrative, or compliance actions pending before the commission.

Under the provisions of RCW 81.68.040 the Commission may grant an auto transportation certificate application with or without hearing when there is no existing certificate holder serving the requested territory. D-79264 is an uncontested application for authority to provide passenger transportation services as an auto transportation company in an area that no existing certificate holder appears to have the authority to serve and therefore no hearing is required.

Since 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, I recommend this application be forwarded to Licensing Staff for processing and preparation of an order granting the application without hearing.

NOTES TO STAFF:

The applicant must file verified statements supporting the need for service in the requested territory.

The company's tariff and schedule need to be finalized.