

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION  
1-360-664-1222**

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

**BACKGROUND**

- 1 Private nonprofit transportation providers operating in the state of Washington, subject to regulation by the Washington Utilities and Transportation Commission (Commission), must file annual reports and pay annual regulatory fees pursuant to WAC 480-31-080. Pursuant to WAC 480-31-052 the Commission may cancel the certificate of a private nonprofit transportation provider for cause, including failure to file an annual report or pay required fees.
  
- 2 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 report and pay regulatory fees for 2011 (Notice). The Notice informed Pacific Aging Council Endeavors that its certificate would be canceled without further notice unless, within 30 days of service of the Notice, the carrier filed the delinquent annual report and paid the delinquent regulatory fees, or requested a hearing to demonstrate why its certificate should not be cancelled.
  
- 3 The Commission mailed the Notice to Pacific Aging Council Endeavors by first class mail and with certified return receipt to the address on file with the Commission. The first class mail envelope was returned marked "return to sender," and the certified mail envelope was returned as "unclaimed." Commission staff unsuccessfully attempted to locate a valid address or telephone number for Pacific Aging Council Endeavors.

4 The Commission did not receive a request for hearing and did not receive Pacific Aging Council Endeavors' 2010 annual report or 2011 regulatory fees.

**FINDINGS AND CONCLUSIONS**

- 5 (1) The Commission is an agency of the State of Washington having authority to regulate private, nonprofit transportation providers as defined in RCW 81.66.
- 6 (2) Pacific Aging Council Endeavors holds authority from the Commission to operate as a private, nonprofit transportation provider under certificate NPC-01080.
- 7 (3) On September 2, 2011, the Commission sent notice to Pacific Aging Council Endeavors at its address on file with the Commission that its certificate to operate as a private, nonprofit transportation provider would be cancelled if the carrier failed to come into compliance within 30 days with Commission rules requiring private, nonprofit transportation providers to file annual reports and pay regulatory fees. The Commission also sent notice to Pacific Aging Council Endeavors at its address on file with the Commission that the carrier could request a hearing to contest cancellation of its certificate.
- 8 (4) Pacific Aging Council Endeavors failed to file the annual report due May 1, 2011, and Pacific Aging Council Endeavors failed to pay the annual regulatory fee due May 1, 2011.
- 9 (5) Pacific Aging Council Endeavors did not request a hearing.
- 10 (7) Pursuant to WAC 480-31-052(2)(b) the Commission may cancel a private, nonprofit transportation provider's certificate for cause, including failure to file an annual report or pay required fees.
- 11 (8) The failure of Pacific Aging Council Endeavors to file its 2010 report and pay its 2011 regulatory fees constitutes cause to cancel the private, nonprofit transportation provider certificate of Pacific Aging Council Endeavors.

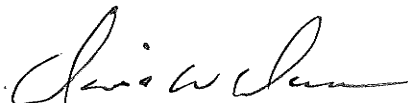
**ORDER**

THE COMMISSION ORDERS:

- 12 Certificate NPC-01080, held by Pacific Aging Council Endeavors, is cancelled effective on the service date of this Order.
- 13 The Commission has delegated authority to the Secretary to enter this Order under RCW 80.01.030 and WAC 480-07-905(9).

DATED at Olympia, Washington, and effective October 18, 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.