

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of AC CHECKER LLC d/b/a VIP ARRIVALS For Compliance with WAC 480-30-221	DOCKETS TE-190590 and TE-190589 <i>(Consolidated)</i> ORDER 01
In the Matter of a Penalty Assessment Against AC CHECKER LLC d/b/a VIP ARRIVALS in the Amount of \$2,500	ORDER OF CONSOLIDATION

BACKGROUND

- 1 On July 19, 2019, the Washington Utilities and Transportation Commission (Commission) issued a Notice of Intent to Cancel Certificate and Notice of Brief Adjudicative Proceeding (BAP) in Docket TE-190590 as a result of violations discovered by Commission staff (Staff) during a routine safety investigation of AC Checker LLC d/b/a VIP Arrivals (VIP Arrivals or Company). The Commission set the BAP for August 19, 2019, at 9:30 a.m. and instructed the Company to submit its proposed safety management plan no later than August 12, 2019.
- 2 On July 22, 2019, the Commission issued a Penalty Assessment against VIP Arrivals in the amount of \$2,500 in Docket TE-190589 for violations discovered by Staff during the same routine safety investigation that gave rise to Commission action in Docket TE-190590.
- 3 On August 7, 2019, VIP Arrivals submitted a safety management plan in Docket TE-190590 addressing each violation cited in Staff's investigation.

4 On August 7, 2019, VIP Arrivals filed with the Commission its application for mitigation of penalties in Docket TE-190589.

5 On August 12, 2019, Staff filed a letter evaluating the Company's safety management plan. In that letter, Staff recommended, among other things, consolidating Docket TE-190590 and Docket TE-190589.

DISCUSSION AND DECISION

6 Because the violations cited in Staff's July 2019 investigation gave rise to the enforcement actions taken in both dockets, the Commission exercises its discretion to consolidate these proceedings. Accordingly, Docket TE-190590 and Docket TE-190589 are consolidated.

FINDINGS AND CONCLUSIONS

7 (1) The Commission is an agency of the State of Washington, vested by statute with authority to regulate rates, rules, regulations, and practices of public service companies, including charter party and excursion service carriers, and has jurisdiction over the parties and subject matter of these proceedings.

8 (2) VIP Arrivals is a charter party and excursion service carrier subject to Commission regulation.

9 (3) The facts and principles of law in Docket TE-190590 and Docket TE-190589 are related.

10 (4) The Commission exercises its discretion, determining that Dockets TE-190590 and TE-190589 should be consolidated.

ORDER

THE COMMISSION ORDERS:

11 Docket TE-190590 and Docket TE-190589 are consolidated.

DATED at Lacey, Washington, and effective August 13, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ *Andrew J. O'Connell*

ANDREW J. O'CONNELL
Administrative Law Judge