

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of	)	DOCKET TS-121253 (<i>Consolidated</i>)
)	
MCNAMARA, SEAN d/b/a)	
BELLINGHAM WATER TAXI	)	NOTICE OF CONSOLIDATION AND
	)	PREHEARING CONFERENCE
For Extension of Authority Under	)	(Set for November 6, 2012, at
Certificate BC-64619	)	10:00 a.m.)
)	
.....)	
In the Matter of the Application of)	
	)	DOCKET TS-121395 (<i>Consolidated</i>)
PACIFIC CRUISES NORTHWEST,)	
INC. d/b/a SAN JUAN CRUISES)	
	)	NOTICE OF CONSOLIDATION AND
For a Certificate of Public Convenience	)	PREHEARING CONFERENCE
and Necessity to Operate Vessels in	)	(Set for November 6, 2012,
Furnishing Passenger Ferry Service	)	at 10:00 a.m.)
)	
.....)	

- 1 On July 30, 2012, in Docket TS-121253, Sean McNamara d/b/a Bellingham Water Taxi (Bellingham Water Taxi) filed with the Washington Utilities and Transportation Commission (Commission) an application for an extension of Certificate BC-64619 for a certificate of public convenience and necessity to operate vessels in furnishing passenger ferry service (Application). Notice of the application was published in the Commission’s weekly Docket of August 2, 2012.

- 2 Bellingham Water Taxi requests its existing authority be revised to include passenger and freight service between Bellingham and Friday Harbor, with flag stops at Vendovi and Cypress Islands.

- 3 On August 24, 2012, in Docket TS-121395, Pacific Cruises Northwest, Inc. d/b/a San Juan Cruises (San Juan Cruises) filed with Commission an application for a certificate of public convenience and necessity to operate vessels in furnishing passenger-only ferry service between Bellingham and Friday Harbor. Notice of the application was published in the Commission’s docket of August 31, 2012.

4 San Juan Cruises' application requests authority to provide passenger-only ferry service between Bellingham and Friday Harbor.

5 **CONSOLIDATION:** The applications in Dockets TS-121253 and TS-121395 seek overlapping authority, and the latter application was filed within 30 days of the date the former application appeared on the application docket. Because both applicants seek to provide overlapping services, the Commission will consolidate San Juan Cruises' application (Docket TS-121395) with Bellingham Water Taxi's application (TS-121253) for joint consideration, pursuant to WAC 480-51-040(3).

6 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 81, and has legal authority to regulate persons seeking to furnish commercial ferry service under chapter 81.84 RCW and WAC 480-51, including but not limited to RCW 81.84.010, and RCW 81.84.020. The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

7 The Commission finds there is good cause to hear this matter on shortened notice. *See* WAC 480-07-440(1)(a).

8 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 10:00 a.m., on November 6, 2012, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** If you are unable to attend the prehearing conference in person, you may attend via the Commission's teleconference bridge line at **(360) 664-3846**. Please appear on the teleconference bridge five minutes before the conference is scheduled to begin.

9 The purpose of the prehearing conference is to discuss preliminary matters, the hearing process, identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

10 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

11 The names and mailing addresses of all known parties and their known representatives are as follows:

Applicant: Sean McNamara
d/b/a Bellingham Water Taxi
1028 17th Street
Bellingham, WA 98225
(360) 393-5753
bellinghamwatertaxi@gmail.com

Protestant: Pacific Cruises Northwest, Inc.
d/b/a San Juan Cruises
Drew Schmidt, President
355 Harris Avenue, #104
Bellingham, WA 98225
(360) 738-8099
drew@whales.com

Protestant: Island Mariner Cruises, Inc.
Terry Buzzard
2621 South Harbor Loop
Bellingham, WA 98225
(360) 734-8866
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Applicant: Pacific Cruises Northwest, Inc.
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Protestant: Island Mariner Cruises, Inc.
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- 12 Administrative Law Judge Adam E. Torem, from the Commission's Administrative Law Division, will preside during this proceeding.
- 13 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective October 25, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary
Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____