



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • www.utc.wa.gov

August 20, 2014

NOTICE DENYING REQUEST FOR HEARING

RE: *Application of Sea to Sky Charters, Inc., for a Permit to Operate a Charter Party and Excursion Service Carrier of Passengers, Docket TE-141214*

TO ALL PARTIES:

On June 2, 2014, Sea to Sky Charters, Inc. (Sea to Sky or Company) filed with the Washington Utilities and Transportation Commission (Commission) an application requesting authority to operate as charter party and excursion service carrier of passengers in the state of Washington under RCW 81.70 and WAC 480-30.

On July 16, 2014, the Commission issued a Notice of Intent to Deny Sea to Sky's application for authority (Notice) for failure to meet the application requirements in RCW 81.70 and WAC 480-30. The Notice provided Sea to Sky with an opportunity to request a hearing by July 30, 2014, to contest the allegations set out in the Notice. The Commission did not receive a request from the Company by the July 30 deadline.

On August 6, 2014, the Commission entered Order 01, Order Denying Application For Authority (Order 01).

On August 4, 2014, Sea to Sky filed a request for hearing. The Company states in its request that "The state failed to serve the paperwork to the registered agent listed with the Secretary of State causing a delay in the request for a hearing." The Commission provided service of the Notice and Order 01 to the mailing address listed in the Company's application.

The Commission denies the Company's request for a hearing. The Notice required that any request for a hearing to contest the allegations must be filed with the Commission by July 30, 2014. The Commission received the Company's request for hearing on August 4, 2014. Accordingly, the Company's request was not timely filed.

The only reason Sea to Sky offers for its failure to request a hearing by the deadline is that the Commission did not serve the Notice on the Company's registered agent for service on file with the Secretary of State. The Commission had no such obligation. Once a person or company has filed an application, the Commission serves all notices, orders, and other correspondence on the applicant at the address the applicant provides in the application. The Commission followed that procedure when serving the Notice and Order 01. Sea to Sky bears sole responsibility to ensure that it receives mail sent to the address it provided in its application, and the Company's failure to do so does not excuse or justify the untimeliness of its request for a hearing.

THE COMMISSION GIVES NOTICE That Sea to Sky Charters, Inc.'s request for hearing is denied.

GREGORY J. KOPTA
Director, Administrative Law Division