

November 6, 2014

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VIA E-MAIL AND U.S. MAIL

Steven V. King
Executive Director and Secretary
Washington Utilities and Transportation Commission
PO Box 47250
1300 S. Evergreen Park Dr. SW
Olympia, WA 98504-7250
Attn: Penny Ingram, Regulatory Analyst
pingram@utc.wa.gov

Re: *In re the Application of Sean McNamara d/b/a Bellingham Water Taxi*; Docket Nos. TS-121253 and 121395, Condition Referred to at Section 45 of Initial Order No. 3 / Final Order 04 Docket Nos. TS-121253 and TS-121395

Dear Mr. King:

As your records will reflect, we are counsel for Pacific Cruises Northwest, Inc. in the above-captioned proceeding. We have recently reviewed the Initial and Final Orders in this matter. We have also reviewed the Commission's docket following service of these Orders which appears to reflect that proof of insurance was in fact filed in this matter in March 2014 along with what appears to reflect a Certificate of Inspection for a 1953 vessel known as the "Golden Rose" insuring a company indicated as "Salish Marine LLC."

On behalf of Pacific Cruises Northwest, Inc. ("PCNW") d/b/a Pacific San Juan Cruises, we write now to inquire as to compliance with the original conditions set forth in the Initial Order implicitly affirmed by the Commission in the Final Order which required service to commence consistent with the Orders no later than January 31, 2014.

PCNW has duly operated pursuant to its own authority between Bellingham and Friday Harbor as ordered by the Initial Order in 2013 through the current season. It is however, unaware of any regulated service that has ever been initiated or is now being offered by Mr. McNamara or Bellingham Water Taxi since March, 2013. This would then appear to violate not only the condition of the Orders, but also the underlying statutory provision of RCW 81.84.060(2). As ¶ 45 of Order No. 3 provides, "Bellingham Water Taxi must actually initiate the entirety of its authorized service no later than January 31, 2014, the original 20-month deadline established in Docket TS-120466."

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Again, on information and belief, we do not believe that service was ever initiated pursuant to the Commission's mandate and ask that you investigate this matter promptly and initiate proceedings, if any, consistent with the results of that review.

Very truly yours,

WILLIAMS, KASTNER & GIBBS PLLC


David W. Wiley

cc: Drew Schmidt