BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Applications of)	
)	DOCKET NO. TS-001774
)	
DUTCHMAN MARINE, LLC d/b/a)	
LAKE WASHINGTON FERRY)	
SERVICE, for Authority to Provide)	
Commercial Ferry Service;)	
)	
and)	
)	DOCKET NO. TS-002055
SEATTLE HARBOR TOURS)	
LIMITED PARTNERSHIP, for)	
Authority to Provide Commercial)	SECOND SUPPLEMENTAL ORDER
Ferry Service;)	
•)	COMMISSION DECISION AND
)	ORDER AFFIRMING INITIAL
)	ORDER GRANTING APPLICATIONS
	í	WITH CONDITIONS
	,	,, 1111 COLDITIONS

- These matters are applications for authority to provide commercial ferry service on Lake Washington, adjacent to the City of Seattle. Because the applications seek overlapping authority, they were consolidated for hearing and order. In this order, the Commission grants conditional authority to both applicants.
- The Commission convened a hearing on the applications at Seattle, Washington, on June 12, 2001, through June 15, 2001, before Administrative Law Judges Dennis J. Moss and William E. Hendricks.
- On September 19, 2001, Administrative Law Judge Moss entered an Initial Order. The initial order was served on all parties of record
- No petition for administrative review was filed within the 20 days allowed by rule for filing. In accordance with RCW 34.05.464 and WAC 480-09-780(6), the Commission accepts the findings of fact and conclusions of law, and adopts the Initial Order, as its own for purposes of this proceeding. The order provided in paragraphs 67, 69 and 70 that certain authority be granted but conditionally available to either carrier. The authority will be perfected by the carrier that first commences service

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¹ A third application, No. TS-002054 of Seattle Ferry Service LLP, was consolidated for hearing but is resolved by separate order.

and at that point will become unavailable to the other carrier. The Commission adopts these conditions and, for clarity, attaches them to this order as Appendix A.

The result is a grant of authority to both applicants. This result enhances diversity of suppliers, affords incentives to begin service, and allows comprehensive service to the public.

ORDER

- THE COMMISSION ORDERS That the Initial Order is affirmed and adopted for purposes of this proceeding. In so doing, the Commission orders:
- 7 The Commission grants Application No. B-78937 of Dutchman Marine, LLC, as set out in paragraph 67 of the Initial Order, conditioned as specified in paragraphs 69 and 70 of the Initial Order.
- The Commission will issue a Certificate of Public Convenience and Necessity as set out in Appendix B to this order to Dutchman Marine, LLC, d/b/a Lake Washington Ferry Service, granting the authority specified herein.
- The Commission grants Application No. B-78946 of Seattle Harbor Tours Limited Partnership, as specified in paragraph 67 of the Initial Order, conditioned as specified in paragraphs 69 and 70 of the Initial Order.
- The Commission will revise and reissue Certificate of Public Convenience and Necessity No. BC-124 of Seattle Harbor Tours Limited Partnership to read as set out in Appendix C, attached to this Order, granting the authority specified herein.

DATED at Olympia, Washington and effective this day of October, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner

NOTICE TO PARTIES:

This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-09-810, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-09-820(1).