

Snyder, Jennifer (UTC)

From: Snyder, Jennifer (UTC)
Sent: Friday, August 22, 2014 1:15 PM
To: Snyder, Jennifer (UTC)
Subject: FW: sea to sky request for hearing

From: Wyse, Lisa (UTC)
Sent: Friday, August 22, 2014 12:08 PM
To: Snyder, Jennifer (UTC)
Subject: FW: sea to sky request for hearing

From: King, Steve (UTC)
Sent: Friday, August 15, 2014 9:57 AM
To: Wyse, Lisa (UTC)
Cc: UTC DL Records Center
Subject: FW: sea to sky request for hearing

Please advise. sk

From: operations@seatoskycharterabus.com [<mailto:operations@seatoskycharterabus.com>]
Sent: Thursday, August 14, 2014 5:26 PM
To: King, Steve (UTC)
Subject: RE: sea to sky request for hearing

As stated below

The commission's Record Center mailed this notice of intent to deny to the mailing address included with your application – a post office box in Rochester, Washington and emailed the notice to your email address above.

We are requesting a copy of that email as it was not received. A registered agent is listed with the Secretary of State

Mr Howell

----- Original Message -----

Subject: RE: sea to sky request for hearing
From: "King, Steve (UTC)" <sking@utc.wa.gov>
Date: Thu, August 14, 2014 2:29 pm
To: "operations@seatoskycharterabus.com"
<operations@seatoskycharterabus.com>
Cc: "Pratt, David (UTC)" <dpratt@utc.wa.gov>, "Wyse, Lisa (UTC)"
<lwyse@utc.wa.gov>, "Walker, Kippi (UTC)" <kwalker@utc.wa.gov>

Mr. Howell:

I'm sorry to tell you that on August 6 the commission denied your application for a charter permit because you did not file a request for a hearing in a timely manner.

Background:

On July 16, The commission's transportation safety staff filed a notice stating they intended to recommend denial of your application for a charter permit based on your firm's lack of safety fitness. This was based on a

February safety inspection of Discovery Tours by commission staff that documented numerous serious safety violations that resulted in an unsatisfactory safety rating. Commission staff also presented information that showed common ownership and use of equipment between Discovery and your company sufficient to conclude that you were in effect the same company seeking to operate under a different name.

The commission's Record Center mailed this notice of intent to deny to the mailing address included with your application – a post office box in Rochester, Washington and emailed the notice to your email address above. We did not serve it on a registered agent because you did not include a contact information for an agent in the paperwork filed with your application.

This notice requested that you request a hearing no later than July 30. You did not respond in a timely manner, your email below and the attached request for hearing was received on August 4. The commission issued an order denying your charter permit application on Aug. 6 and it was sent to you that day in the same manner as the July 16 notice – via the US Post Office and by email. I have attached a copy of that order for your review.

Please review this information and respond as soon as possible telling me what you would have me do to assist you.

Regards,

Steve King

Steven King

Executive Director

360-664-1115 (office)

360-359-3883 (mobile)

sking@utc.wa.gov

Utilities and Transportation Commission

Respect. Professionalism. Integrity. Accountability.

www.utc.wa.gov

From: operations@seatoskycharterabus.com [<mailto:operations@seatoskycharterabus.com>]

Sent: Wednesday, August 13, 2014 9:57 AM

To: King, Steve (UTC)

Subject: RE: sea to sky request for hearing

There has been a considerable time between correspondence from your department. This is causing financial losses to our company since Washington State UTC required the issuance of an insurance policy and we are still maintaining this and bus payments during your delays.

The email below was not delivered to our mailbox until August 13th even though it is dated August 7th. Was something forwarded to the registered agent?

Is it possible to request this hearing take place in court before a judge instead of your administrative staff?

Chad Howell

----- Original Message -----

Subject: RE: sea to sky request for hearing

From: "King, Steve (UTC)" <sking@utc.wa.gov>

Date: Thu, August 07, 2014 11:55 am

To: "operations@seatoskycharterabus.com"
<operations@seatoskycharterabus.com>

Mr. Howell: I've forwarded your request to our Records Center. They may be in touch with you if they need additional information to process your request. Regards, Steve King

From: operations@seatoskycharterabus.com [<mailto:operations@seatoskycharterabus.com>]

Sent: Monday, August 04, 2014 5:47 AM

To: King, Steve (UTC)

Subject: sea to sky request for hearing

Attached you will find the original and five copies of a request for a hearing. These have been mailed as well and forwarded to the Corporations registered agent for review.

The State of Washington failed to serve the documents to the registered agent on file with the Secretary of State and instead sent it to a PO Box that is not actively in use due to the current status of the application for authority to operate.

Chad Howell