

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKET TS-081877
TRANSPORTATION COMMISSION,	)	
	)	ORDER 01
Complainant,	)	
	)	
v.	)	
	)	
LAKE CHELAN RECREATION,	)	COMPLAINT AND ORDER
INC.,	)	SUSPENDING TARIFF REVISIONS
	)	AND INSTITUTING
Respondent.	)	INVESTIGATION
.....	)	

**BACKGROUND**

- 1     On October 15, 2008, Lake Chelan Recreation, Inc., (Lake Chelan Recreation or Company), filed with the Washington Utilities and Transportation Commission (Commission) a Tariff Revision to reduce their Time Schedule 34 by 20 service days. On August 28, 2008, the Commission, in Docket TS-081453, granted Lake Chelan Recreation an 18-day reduction in service. In both of these filings, the Company cited reduced ridership and increasing costs, and sought to reduce its days of operation rather than increase rates for ferry service.
- 2     Staff conducted an informal investigation by examining financial and operational documents provided by the Company to determine if, as a result of reducing service as proposed, rates published in its existing tariff are fair, just, reasonable, and sufficient. From the limited information provided, Staff was unable to determine the impact the proposed schedule change would have on the Company’s operations and the rates charged for ferry service on Lake Chelan.
- 3     The Commission has received two customer comments on this filing as of November 17, 2008. One customer believes that it is no longer feasible to operate Lake Chelan Recreation’s existing fleet of boats. The customer feels it is time to consider allowing other operators to propose service on the lake. The other customer resides in Stehekin and is a member of the school board. The customer is concerned that reduced service will mean that children who live in Stehekin but have traveled down-lake for the weekend will miss school on Monday if there is no Sunday service.
- 4     The proposed revised schedule might injuriously affect the rights and interests of the public. The Commission therefore suspends the time schedule filing.

**FINDINGS AND CONCLUSIONS**

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including commercial ferries. *RCW 80.01.040, RCW 81.01, RCW 81.04, RCW 81.08, RCW 81.12, RCW 81.16 and RCW 81.84.*
- 6 (2) Lake Chelan Recreation is engaged in the business of providing commercial ferries services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 7 (3) This matter was brought before the Commission at its regularly scheduled meeting on November 26, 2008.
- 8 (4) Lake Chelan Recreation has not yet demonstrated that the time schedule changes proposed in Time Schedule 34 will result in adequate service to the public and are in the public interest.
- 9 (5) RCW 81.04.070 authorizes the Commission and Staff to inspect the accounts, books, papers and documents of any public service company.
- 10 (6) The Commission deems it necessary to conduct an investigation under this statute in order to carry out the duties imposed on it by law, to investigate the Company's books, accounts, practices and activities.

**ORDER**

**THE COMMISSION ORDERS:**

- 11 (1) The time schedule revision filed by Lake Chelan Recreation, Inc., on October 15, 2008, is suspended.
- 12 (2) The Commission institutes an investigation of Lake Chelan Recreation, Inc.'s books, accounts, practices, activities, property and operations on its own motion.

- 13 (3) Lake Chelan Recreation, Inc., must not change or alter the time schedule filed in this docket during the suspension period, unless authorized by the Commission in this docket.
- 14 (4) Lake Chelan Recreation, Inc., may be required to pay the expenses reasonably attributable and allocable to such investigation, consistent with RCW 81.20.

DATED at Olympia, Washington, and effective November 26, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner