

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In re Joint Application for authority to transfer all rights under certificate of public convenience and necessity BC-34 from:

LAKE CHELAN RECREATION, INC.,  
d/b/a LAKE CHELAN BOAT  
COMPANY,

to:

DISCOVER LAKE CHELAN LLC

DOCKET TS-190146

ORDER 01

ORDER AUTHORIZING TRANSFER

**BACKGROUND**

- 1 On March 1, 2019, Lake Chelan Recreation, Inc., d/b/a Lake Chelan Boat Company (LCRI) and Discover Lake Chelan LLC (DLC) filed with the Washington Utilities and Transportation Commission (Commission) a joint application (Joint Application) for authority to transfer all rights under certificate of public convenience and necessity BC-34 (Certificate BC-34) for commercial ferry authority under certificate BC-34, from LCRI to DLC pursuant to Washington Administrative Code (WAC) 480-51-030.
- 2 Commission staff (Staff) has evaluated the Joint Application and recommends that the Commission approve the application as requested. Staff's review shows that DLC has sufficiently demonstrated that it is has the knowledge, experience, and resources to provide all services necessary under Certificate BC-34, and that it is fit, willing, and able to comply with state law and the requirements of WAC 480-51.

**DISCUSSION**

- 3 RCW 81.84.010 provides that commercial ferry companies must apply for and obtain from the Commission a certificate declaring that the public convenience and necessity require their proposed operations. RCW 81.84.030 requires the Commission to authorize any transfer or sale of an existing commercial ferry certificate. RCW 81.84.020 requires that the applicant purchaser have the financial resources to operate the proposed service for at least 12 months.
- 4 We agree with Staff's recommendation and approve the Joint Application. First, DLC states in the Joint Application that it will adopt LCRI's existing tariff and time schedules and that it will retain all of LCRI's current managers and employees. Accordingly, we are

satisfied that DLC has the knowledge, experience, and resources to provide the existing service, and that it is fit, willing, and able to comply with state law and Commission rules.

5 Second, no person objected to the Joint Application. As such, we find that the public convenience and necessity continue to require the operations described in Certificate BC-34.

6 In light of these factors, we conclude that the proposed transfer of all rights from LCRI to DLC is consistent with the public interest.

### FINDINGS AND CONCLUSIONS

7 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, practices, accounts, and affiliated interests of public service companies, including commercial ferry operators.

8 (2) LCRI is a commercial ferry company and a public service company subject to Commission jurisdiction.

9 (3) This matter came before the Commission at its regularly scheduled meeting on April 25, 2019.

10 (4) Under RCW 81.84.030, the Commission must approve any sale of a commercial ferry company's certificate.

11 (5) WAC 480-51-030 requires parties to a transaction to file jointly an application with the Commission to obtain approval of any sale, assignment, lease, transfer, or mortgage of an existing commercial ferry certificate.

12 (6) On March 1, 2019, LCRI and DLC filed with the Commission a Joint Application for authority to transfer all rights under Certificate BC-34 from LCRI to DLC.

13 (7) After reviewing the Joint Application and giving due consideration to all relevant matters and for good cause shown, the Commission finds the proposed transfer of all rights under Certificate BC-34 from LCRI to DLC is consistent with the public interest, and concludes that the Joint Application should be approved.

**ORDER**

**THE COMMISSION ORDERS:**

- 14 (1) The Joint Application filed in Docket TS-190146 to transfer all rights in the state of Washington from Lake Chelan Recreation, Inc., d/b/a Lake Chelan Boat Company, to Discover Lake Chelan LLC, is approved.
- 15 (2) Certificate of public convenience and necessity BC-34 is reissued to Discover Lake Chelan LLC, as described in the attached Appendix A.
- 16 (3) Granting authority for the transfer of rights under a certificate does not necessarily approve the amount involved in the transaction, nor does it bind the Commission to recognize the amount in placing a value for rate-making purposes on the property of the certificate holder.
- 17 (4) The tariff and time schedule for Discover Lake Chelan LLC, filed in connection with this Joint Application, will become effective at 12:01 a.m. on the day following the service date of this Order.

DATED at Olympia, Washington and effective April 25, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

ANN E. RENDAHL, Commissioner

JAY M. BALASBAS, Commissioner

**APPENDIX A**

Lake Chelan Recreation, Inc.....Cert No.  
P.O. Box 186.....BC-34  
Chelan, WA 98816

**PASSENGER, FREIGHT AND FERRY SERVICE**

**BETWEEN:** Chelan, Lakeside and Stehekin, Washington, via Pal Dock, First Creek, Granite Falls, Deer Point, Safety Harbor, Twin Harbor, Railroad Creek, Meadow Creek, Edgemont Lodge, Moore's Inn, Riddle Creek, Maxwell Lodge, and other intermediate points.