



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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August 13, 2019

**NOTICE CANCELLING BRIEF ADJUDICATIVE PROCEEDING
(Set for August 19, 2019, at 9:30 a.m.)**

RE: *In the Matter of the Investigation of AC Checker LLC d/b/a VIP Arrivals for Compliance with WAC 480-30-221 and In the Matter of a Penalty Assessment Against AC Checker LLC d/b/a VIP Arrivals in the Amount of \$2,500*
Dockets TE-190590 and TE-190589 (*Consolidated*)

TO ALL PARTIES:

On July 19, 2019, the Washington Utilities and Transportation Commission (Commission) issued a Notice to AC Checker LLC d/b/a VIP Arrivals (VIP Arrivals or Company) in Docket TE-190590 advising the Company that the Commission intended to cancel its charter party and excursion carrier certificate. The Commission set a brief adjudicative proceeding (BAP) for August 19, 2019, at 9:30 a.m., at the Commission's headquarters in Lacey, Washington.

On July 22, 2019, the Commission issued a Penalty Assessment in Docket TE-190589 against VIP Arrivals in the amount of \$2,500 for the violations cited in the Notice.

On August 7, 2019, VIP Arrivals submitted a safety management plan in Docket TE-190590 addressing each violation noted during Staff's investigation. Also on August 7, 2019, the Company filed with the Commission its application for mitigation of penalties in Docket TE-190589. The Company admitted the violations, but requested that the penalty be reduced based solely on the information provided.

On August 12, 2019, Staff filed a letter indicating that the Company had submitted to Staff a proposed safety management plan. Staff recommends, among other things, that the Commission approve the safety management plan submitted by the Company, upgrade the Company's safety rating to conditional, cancel the BAP currently set for August 19, 2019, at

9:30 a.m., consolidate Docket TE-190590 and Docket TE-190589, and enter an order based on a paper record. Staff also explained that it confirmed that the Company waives its right to a hearing in both dockets.

On August 13, 2019, the Commission entered Order 01, Order of Consolidation, in Dockets TE-190590 and TE-190589 (*Consolidated*).

Based on the parties' request to cancel the hearing, as well as Staff's approval of the Company's safety management plan, the Commission finds good cause to cancel the brief adjudicative proceeding set for August 19, 2019, at 9:30 a.m. and will enter an order based on a paper record.

THE COMMISSION GIVES NOTICE That the brief adjudicative proceeding in Docket TE-190590 set for August 19, 2019, at 9:30 a.m. is cancelled.

/s/ *Andrew J. O'Connell*

ANDREW J. O'CONNELL

Administrative Law Judge