

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)	DOCKET NO. TC-051121
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	ORDER NO. 03
)	
v.)	
)	COMMISSION DECISION AND
PENNCO TRANSPORTATION, INC.)	ORDER AFFIRMING INITIAL
)	ORDER; REVOKING
Respondent.)	CERTIFICATE
)	
.....)	

1 **SYNOPSIS:** *The Commission affirms and adopts an Initial Order thereby revoking Pennco Transportation, Inc.'s certificate of public convenience and necessity.*

2 **NATURE OF PROCEEDING:** In this Order the Commission reviews an initial order that proposed to revoke the certificate of public convenience and necessity of Pennco Transportation, Inc. for failure to formally notify the Commission prior to discontinuing service and to obtain the Commission's permission for the discontinuance, and for failure to file an annual report of gross operating revenue from intrastate operations and to pay a regulatory fee on an annual basis.

3 **INITIAL ORDER:** An initial order was entered on September 13, 2005, by Administrative Law Judge Theodora M. Mace proposing that the certificate of public convenience and necessity of Pennco Transportation, Inc. be revoked.

4 **PETITION FOR REVIEW:** No petition for administrative review was filed within the 20 days allowed by rule for filing. The Commission has reviewed the proposed order and the evidence of record and believes that the findings, the

conclusions, and the order are consistent with the record. In accordance with RCW 34.05.464 and WAC 480-07-825(7), the Commission accepts the findings of fact and conclusions of law, and adopts the Initial Order as its own, for purposes of this proceeding.

ORDER

THE COMMISSION ORDERS That:

- 5 The Commission affirms and adopts the Initial Order in this docket for purposes of this proceeding. In so doing,

THE COMMISSION FURTHER ORDERS That:

- 6 The certificate of public convenience and necessity of Pennco Transportation, Inc., is revoked.

DATED at Olympia, Washington, and effective this 22nd day of November, 2005

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, 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 480-07-850, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-07-870.