

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

|                            |   |                             |
|----------------------------|---|-----------------------------|
| WASHINGTON UTILITIES AND   | ) | DOCKET TS-081877            |
| TRANSPORTATION COMMISSION, | ) |                             |
|                            | ) | ORDER 02                    |
| Complainant,               | ) |                             |
|                            | ) |                             |
| v.                         | ) |                             |
|                            | ) |                             |
| LAKE CHELAN RECREATION,    | ) |                             |
| INC.,                      | ) |                             |
|                            | ) | ORDER DISMISSING COMPLAINT  |
| BC 34                      | ) | AND ORDER SUSPENDING TARIFF |
|                            | ) | REVISIONS; ALLOWING TARIFF  |
| Respondent.                | ) | REVISIONS                   |
| .....                      | ) |                             |

**BACKGROUND**

- 1 On October 15, 2008, Lake Chelan Recreation, Inc., (Lake Chelan Recreation or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its Time Schedule 34. The filing proposes to eliminate Sunday ferry service from January 1 to March 31 and to eliminate Tuesday, Thursday and Saturday ferry service from March 15 to March 31. The Company cited decreased ridership and increasing costs, and sought to reduce its days of operation rather than increase fares for ferry service.
- 2 On November 26, 2008, the Commission entered a Complaint and Order Suspending Tariff Revisions pending an investigation to determine whether the revisions are fair, just, reasonable and sufficient.
- 3 Commission Staff has completed its review of the Company’s proposed changes, including a review of the company’s supporting financial documents, books and records. Staff’s review shows that the proposed time schedule changes are reasonable. Although the proposed time schedule changes are reasonable, Commission Staff believes that the Company’s operations and current fares should be re-examined and recommends that the Commission require the Company to file a full rate case no later than February 27, 2009, using calendar year 2008 as the twelve month test period.

**FINDINGS AND CONCLUSIONS**

- 4 (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 companies. *RCW 81.01.040, RCW 81.01, RCW 81.04, RCW 81.08, RCW 81.12, RCW 81.16 and RCW 81.84.*
- 5 (2) Lake Chelan Recreation is a commercial ferry company and a public service company subject to Commission jurisdiction.
- 6 (3) This matter came before the Commission at its regularly scheduled meeting on December 23, 2008.
- 7 (4) The time schedule revisions presently under suspension are fair, just, reasonable and sufficient because Commission Staff's review of the Company's books and records indicates that the discontinuance of service does not provide excess earnings to the Company or undue or unreasonable impact on its passengers.
- 8 (5) After reviewing the time schedule revisions Lake Chelan Recreation filed in Docket TS-081877 and giving due consideration, the Commission finds it is consistent with the public interest to dismiss the Complaint and Order Suspending Tariff Revisions in Docket TS-081877, dated November 26, 2008, and allow the tariff revisions to its Time Schedule to become effective on January 1, 2009.

**ORDER**

**THE COMMISSION ORDERS:**

- 9 (1) The Complaint and Order Suspending Tariff Revisions in Docket TS-081877, entered on November 26, 2008, is dismissed.
- 10 (2) The time schedule revisions Lake Chelan Recreation, Inc., filed in this docket on October 15, 2008, shall become effective on January 1, 2009.

- 11 (3) Lake Chelan Recreation, Inc., must file a new general rate case no later than February 27, 2009, using calendar year 2008 as the twelve month test period.

DATED at Olympia, Washington, and effective December 23, 2008.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner