

March 19, 2018

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper
Carrier Classification of, and Complaint
for Penalties Against:

CRESCENT BAR CHARTERS LLC

DOCKET TE-180210

DECLARATION OF
SUSIE PAUL

Susie Paul, under penalty of perjury under the laws of the State of Washington, declares as follows:

1. I am employed by the Washington Utilities and Transportation Commission (commission) as a Compliance Investigator in the Consumer Protection Section. As a Compliance Investigator, my responsibilities include conducting investigations regarding the business practices of regulated utility and transportation companies. As part of those duties, I investigate transportation companies that may be operating without the required commission-issued certificate.
2. On Feb. 27, 2018, I received e-mails from commission Motor Carrier Safety staff addressed to Troy Davis, Crescent Bar Charters LLC (Crescent Bar or Company). The emails were related to staff's attempts to perform a safety compliance investigation and includes the following statement from Mr. Davis: "...I'm aware of the permit cancellation."¹
3. I reviewed commission records on Feb. 28, 2018, to determine if Crescent Bar's charter party and excursion certificate was active. According to Commission records, Crescent Bar was notified its certificate (CH-066094) was cancelled on Dec. 7, 2017, due to insufficient proof of insurance.² Crescent Bar's address on file at the commission is recorded as 9119 Seahawk Ln NW, Quincy, WA 98848, email address of busstop@cbcharters.com, and a website address of cbcharters.com.
4. An internet search of Washington's Secretary of State, Washington Department of Revenue's Business Licensing Service, and the U.S. Department of Transportation

¹ See Attachment A for copies of emails between UTC staff and Troy Davis, dated Oct. and Dec. 2017.

² See Attachment B for a copy of Commission records documenting Crescent Bar's inactive status and the notification of cancellation of certificate, dated Dec. 7, 2017.

Safety and Fitness Electronic Records (SAFER), produced records showing Crescent Bar is in active status in Washington State.³

5. An internet search on www.facebook.com produced advertisements for Crescent Bar Charters offering group tours.⁴
6. An internet search for cbcharters.com produced a website for Crescent Bar Charters with a link to send an online inquiry.⁵
7. On Feb. 13, 2018, I used the online inquiry link found on Crescent Bar's website. I used an assumed name to obtain a quote for a wine tour for a wedding party of ten for the dates of Feb. 17 or 24, 2018. On Feb. 13, 2018, I received an email from Troy Davis, with an email address of busstop@cbcharters.com, offering my party to join a group of two couples who were already booked for Feb. 17, 2018.⁶
8. In another email on Feb. 13, Mr. Davis offered my party a tour of different wineries and provided rates of "...99 per hour for the first four hours then 25 for each additional hour..."⁷

DATED this 12th day of March, 2018, at Olympia, Washington.



SUSIE PAUL

³ See Attachment C for a copy of Washington Secretary of State, Washington Department of Revenue Business Licensing, and SAFER records, which I printed on Feb. 28 and March 2, 2018.

⁴ See Attachment D for a copy of Crescent Bar Charter's Facebook page, which I printed on Feb. 28, 2018.

⁵ See Attachment E for a copy of Crescent Bar's website, which I printed on Feb. 28, 2018.

⁶ See Attachment F for a copies of request for a tour and responding email, dated Feb. 13, 2018.

⁷ See Attachment G for a copy of email from Troy Davis with quote for tour, dated Feb. 13, 2018.

ATTACHMENT A

Gagne, Francine (UTC)

From: Troy Davis <busstop@cbarcharters.com>
Sent: Sunday, December 3, 2017 6:03 AM
To: Gagne, Francine (UTC)
Subject: Re: Upcoming compliance investigation

Morning Francine,

We're just arrived for the day in Mexico on the ship and won't be back by then thanks for asking. Quite a trip.

I only have email and internet for one day today. We also received a cancellation notice from Mike Dodson on our permit, which we only run the shuttle June through October anyway so that's fine. We suspend the insurance during those months we don't run it and it's stored. So as of December 6th we don't have a permit so it's really a mute point. We will start running again in June and will re apply so I'm sure it will get a another type 1 inspection at that time. I will email Mike also to let him know I'm aware of the permit cancellation.

Thanks!

Troy

Sent from my iPad

On Nov 30, 2017, at 7:28 AM, Gagne, Francine (UTC) <fgagne@utc.wa.gov> wrote:

Good morning!

Hoping your vacation went well? Will you be back in town December 11-13th? We could reschedule for then if that works for you?

Francine

From: Troy Davis [<mailto:busstop@cbarcharters.com>]
Sent: Wednesday, October 18, 2017 11:24 AM
To: Gagne, Francine (UTC) <fgagne@utc.wa.gov>
Subject: Re: Upcoming compliance investigation

Hi Francine,

We are headed to Europe next week and then a 3 week cruise so we will be out of town until at least December, and no cell phone service! . We are shut down for the winter as we only run the shuttle bus six months a year May through mid October after the last weekend of Octoberfest in Leavenworth. The insurance company does make us keep full coverage on it which they report annually to the UTC so you should have that information. The bus runs around 5000 miles a year for intrastate operations only for 25 revenue trips a year within 50 miles and one trip to a Mariner game this year. I know you did a Level 1 on it already and another in your office did a Level 1 when we went into service.

When we get back in town I can contact you so you can finish up and get your assignment finished.

Could you tell me the name of the employee/supervisor who assigned this to you?

We fly out next week so if I am sporadic with communication you know why.

Thanks!

Troy Davis

For Christene Davis

Sent from my iPad

On Oct 17, 2017, at 11:41 AM, Gagne, Francine (UTC) <fgagne@utc.wa.gov> wrote:

Good morning!

I have been assigned to conduct a routine compliance review on your company. I will be in your area on October 30, 2017 and can meet you at 1:00pm to begin the review of your records. Please let me know the best location for us to meet. If you are able to return the safety questionnaire and driver and vehicle lists prior to the review, it will speed things up.

Let me know if you have any concerns. I look forward to working with you.

Francine Gagne

Special Investigator | Utilities and Transportation Commission

fgagne@utc.wa.gov | office [360.664.1231](tel:360.664.1231) cell [360.529.2082](tel:360.529.2082)

UTC Motor Carrier Safety | PO Box 47250 | Olympia, WA 98504-7250 | www.utc.wa.gov

<CBar Safety Questionnaire.docx>

<CBar Appointment Letter.docx>

ATTACHMENT B


SharePoint

Newsfeed OneDrive Sites Paul, Susie (UTC)  



Companies

Cases

Search Company Name 

History	Contacts	Industries	Cases
Cancel	Permits & Insurance		

View Version History

Company Name* Crescent Bar Charters LLC

DBA Names

Company Legacy ID

Unified Business Identifier 603430258

Regulatory Status Inactive

Contact Name Christene Davis

Contact Title Member

Contact Phone 360-359-5966

Contact E-Mail Address busstop@cbarcharters.com

Contact Fax

Address Change Date 3/10/2016

Physical Address Street 9119 Seahawk Ln NW

Physical Address City Quincy

Physical Address State WA

Physical Address Zip 98848

Mailing Address Street 9119 Seahawk Ln NW

Mailing Address City Quincy

Mailing Address State WA

Mailing Address Zip 98848

Website cbarcharters.com

Comments

Company ID 17,207

Version: 11.0
Created at 8/20/2015 9:07 AM by  Leipski, Tina (UTC)

Cancel



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

December 7, 2017

Crescent Bar Charters LLC
9119 Seahawk Ln NW
Quincy, WA 98848

TE171180 - Cancellation of Certificate CH066094 Due To Insufficient Proof of Insurance

Dear Crescent Bar Charters LLC:

On November 6, 2017, the Washington Utilities and Transportation Commission (Commission) notified you that your transportation certificate would be canceled unless you submitted acceptable proof of insurance by December 6, 2017. Our records show that you failed to submit acceptable proof of insurance by that deadline. As a consequence, **the Commission has CANCELED your certificate. You must immediately CEASE all operations associated with this certificate. If you operate without a valid certificate, the commission may take enforcement action against you.**

You have the right to a hearing. If you believe the Commission should not have canceled your certificate, you may ask the Commission to schedule a hearing before an administrative law judge. At the hearing the only issue the Commission will address is whether you had proof of insurance on file to avoid cancellation. Email your request to Steven V. King, Secretary, at records@utc.wa.gov. You may also mail your request to 1300 S. Evergreen Park Drive. SW, PO Box 47250, Olympia, WA 98504-7250. The Commission must receive your request within 14 days after the date of this letter.

You may apply to reinstate your certificate. Download the reinstatement application at www.utc.wa.gov. To locate application instructions, type "File Your Transportation Application Electronically" in the site search bar, and select this link. Then, click on the appropriate industry application.

If you have questions about this notice, please contact Licensing Services at (360) 664-1222. You may also email us at transportation@utc.wa.gov.

Sincerely,

Suzanne Stillwell
Licensing Services Manager

ATTACHMENT C

2/28/2018

Corporations - WA Secretary of State


Quickly start filing your ANNUAL REPORT

(<https://ccfs.sos.wa.gov/#/expressAnnualReportSearch/BusinessSearch>).

Corporations & Charities

Filing System

(<https://ccfs.sos.wa.gov/#/>)



Office of the Secretary of State
Corporations & Charities Division

WASHINGTON CORPORATIONS
AND CHARITIES FILING SYSTEM


[Customer Login](#) [Create a User Account](#)

Search Results

Viewing 1 - 19 of 19 Results

➤ CRESCENT BAR BQ, LIMITED LIABILITY CO. Active

➤ CRESCENT BAR CHARTERS LLC Active

UBI #	603430258
Status	Active
Expiration Date	 8/31/2018
Period of Duration	PERPETUAL
Business Type	WA LIMITED LIABILITY COMPANY
Date of Incorporation	8/21/2014
State of Incorporation	WASHINGTON
Registered Agent	CHRISTENE DAVIS 9119 SEAHAWK LN NW QUINCY, WA 98848
Governing Persons	CHRISTENE DAVIS — GOVERNOR

<https://www.sos.wa.gov/corps/>



Help

My DOR

My DOR Business License Lookup AZUL RIVER TOURS LLC

License Information:

[New search](#) [Previous search](#)

Entity name: CRESCENT BAR CHARTERS LLC
 Business name: AZUL RIVER TOURS LLC
 Entity type: [Limited Liability Company](#)
 UBI: 603-430-256 Business ID: 001 Location ID: 0001
 Location: Open
 Status: To check the status of this company, go to the link(s) below:
[Department of Revenue](#)
[Secretary of State](#)

Location and Mailing address:

9119 SEAHAWK LN NW
QUINCY, WA, 98848

[View Additional Locations](#)

Governing People May include governing people not registered with SOS

Governing people	Title
DAVIS, CHRISTENE	Member

Registered Trade Names

Registered trade names	Status	First issued
CRESCENT BAR CHARTERS LLC	Active	Oct-06-2014

Information current as of 2/28/2018 10:32:51 AM

[Contact us](#)

[Your Privacy](#)

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USDOT Number MC/MX Number Name

Enter Value:

Company Snapshot

CRESCENT BAR CHARTERS LLC
USDOT Number: 2790381

ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety Rating

Carriers: If you would like to update the following ID/Operations information, please complete and submit form [MCS-150](#) which can be obtained [online](#) or from your State FMCSA office. If you would like to challenge the accuracy of your company's safety data, you can do so using FMCSA's [DataQs](#) system.

Other Information for this Carrier

- [SMS Results](#)
- [Licensing & Insurance](#)

Carrier and other users: FMCSA provides the Company Safety Profile (CSP) to motor carriers and the general public interested in obtaining greater detail on a particular motor carrier's safety performance than what is captured in the Company Snapshot. To obtain a CSP please visit the [CSP order page](#) or call (800)832-5660 or (703)280-4001 (Fee Required).

For help on the explanation of individual data fields, click on any field name or for help of a general nature go to [SAFER General Help](#).

The information below reflects the content of the FMCSA management information systems as of 03/01/2018. [Carrier Registration Information Outdated.](#) [Carrier VMT Outdated.](#)

Entity Type:	CARRIER		
Operating Status:	ACTIVE	Out of Service Date:	None
Legal Name:	CRESCENT BAR CHARTERS LLC		
DBA Name:			
Physical Address:	23758 CRESCENT BAY DR NW QUINCY, WA 98848		
Phone:	(509) 787-2135		
Mailing Address:	23758 CRESCENT BAY DR NW QUINCY, WA 98848		
USDOT Number:	2790381	State Carrier ID Number:	
MC/MXFF Number/ef:		DUNS Number:	-
Power Units:	2	Drivers:	1
MCS-150 Form Date:	08/25/2015	MCS-150 Mileage (Year):	
Operation Classification:			
	Auth. For Hire	Priv. Pass.(Non-business)	State Gov't
	Exempt For Hire	Migrant	Local Gov't
	Private(Property)	U.S. Mail	Indian Nation
	<input checked="" type="checkbox"/> Priv. Pass. (Business)	Fed. Gov't	
Carrier Operation:			
	<input type="checkbox"/> Interstate	<input type="checkbox"/> Intrastate Only (HM)	<input checked="" type="checkbox"/> Intrastate Only (Non-HM)
Cargo Carried:			
	General Freight	Liquids/Gases	Chemicals
	Household Goods	Intermodal Cont.	Commodities Dry Bulk
	Metal: sheets, coils, rolls	<input checked="" type="checkbox"/> Passengers	Refrigerated Food
	Motor Vehicles	Oilfield Equipment	Beverages
	Drive/Tow away	Livestock	Paper Products
	Logs, Poles, Beams, Lumber	Grain, Feed, Hay	Utilities
	Building Materials	Coal/Coke	Agricultural/Farm Supplies
	Mobile Homes	Meat	Construction
	Machinery, Large Objects	Garbage/Refuse	Water Well
	Fresh Produce	US Mail	

ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety Rating

US Inspection results for 24 months prior to: 03/01/2018


Total Inspections: 1
Total IEP Inspections: 0

Note: Total inspections may be less than the sum of vehicle, driver, and hazmat inspections. Go to [Inspections Help](#) for further information.

ATTACHMENT D

Crescent Bar Charters

Kalle Home Find Friends 66

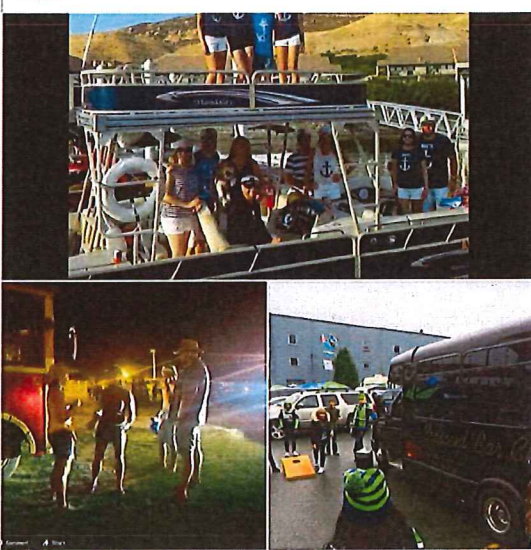


Like Follow Recommend Send Message

Status Photo/Video

Write something on this Page...

Photos



See All


See More

Tour Agency in Quincy, Washington
5.0

Community See All

Invite your friends to like this Page
236 people like this
236 people follow this

About See All



9119 Seahawk LN NW
Quincy, Washington 98848
Get Directions
(360) 292-5155
Send Message
www.cbarcharters.com
Tour Agency · Region
Suggest Edits

English (US) · Español · Português (Brasil) · Français (France) · Deutsch

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Facebook © 2018

Chat (0/1)

ATTACHMENT E

http://www.cbarcharters.com/

File Edit View Favorites Tools Help

Suggested Sites Web Slice Gallery

Crescent Bar CHARTERS

Reservations:
360-292-5155

Home About Us Gorge Shuttle Limo Rental Fonloon Rental Contact Us

Crescent Bar Charters - Getting there is half the fun!

With the incredible array of activities that abound in Crescent Bar, now you can get there in style and have a blast doing it with **Crescent Bar Charters!** Whether it's a concert at the **Gorge Amphitheater**, a **wine tasting tour** to all the local wineries, or just a **group celebration**, you can have fun getting there -- and back!

Don't waste with concert traffic or worry about driving back if you've been wine tasting. Let us chauffeur you wherever you want to go, while you kick back and have fun in our incredibly cool party on-wheels **limousine bus**.

Here are just some of the events we can take you on:

- The Gorge at George shuttles
- Wine tasting tours of local wineries
- Birthday and anniversary celebrations
- High school dances and proms
- Kid's parties
- Airport transportation
- Casino trips
- Shopping expeditions

For Reservations or tour information, call 360-292-5155 or send us an online inquiry.

"Half The Fun Is Getting There!"
Crescent Bar Charters
www.CBarCharters.com
509-787-2135

Half the fun is getting there with Crescent Bar Charters!

Printed on Feb. 28, 2018

ATTACHMENT F

Crescent Bar CHARTERS

First name * Last name *

Email * Contact phone *

What you are requesting:
(The shuttles leave approximately 2 hours before the concert, but times will vary depending on the concert schedule)

Limo Bus Gorge Shuttle
 Jolly Trolley Gorge Shuttle
 Wine Tour
 Party Limo
 Pontoon Boat
 Other

Where you would like to be picked up:

Crescent Bar Island
 Tower Pizza parking lot
 Sunfire Grill
 Crescent Bay
 Little Crescent Bar
 Quincy
 Other

Crescent Bar CHARTERS

First name * Last name *

Email * Contact phone *

What you are requesting:
(The shuttles leave approximately 2 hours before the concert, but times will vary depending on the concert schedule)

Limo Bus Gorge Shuttle
 Jolly Trolley Gorge Shuttle
 Wine Tour
 Party Limo
 Pontoon Boat
 Other

Where you would like to be picked up:

Crescent Bar Island
 Tower Pizza parking lot
 Sunfire Grill
 Crescent Bay
 Little Crescent Bar
 Quincy
 Other

Thank you!

Your form has been successfully submitted. Someone will get back to you soon.

Sunfire Grill

Restaurant

Located in: Resort Works At Crescent Bar

Address: 23572 Sunsera Loop #2, Quincy, WA 98848

Hours:

Open - Closes 10PM

Tuesday	9AM-10PM
Wednesday	9AM-10PM
Thursday	9AM-10PM
Friday	9AM-10PM

From: Troy Davis <busstop@cbarcharters.com>
Sent: Tuesday, February 13, 2018 1:32:01 PM
To: Katie Lalane
Subject: Re: Wine tour

Sounds great!

It is already booked for a wine tour on Saturday the 17th It only has four people going on it and they are headed to several wineries to include Martin Scott, Pybus market which has Jones winery and the cashmere area. Would you like me to ask them if they would like to get a bigger group? It is two couples that celebrate Valentine's Day every year with us. If it doesn't work we can book you for the following weekend. The. You could split the cost a bit more but of course it would be up to them. If it doesn't work no problem the following Saturday!

Troy

Sent from my iPad

On Feb 13, 2018, at 1:24 PM, Katie Lalane <carpoolmomma@hotmail.com> wrote:

Thanks for getting back with me so quickly. I'd like to book for later this month. It's a celebration for my wedding party (10 of us), so I am fairly open. A Saturday is best for most, so if the 17 or 24 is open, that would be terrific. My

<https://outlook.live.com/owa/?ItemID=AQMkADAwATZiZmYAZC1jOTY3LWQ1YjAtM...> 3/2/2018

Re: Wine tour - Katie Lalane

Page 2 of 2

wedding is in March. Me and my finance are footing the bill, so I guess I need to know ballpark cost for visiting at least 3 wineries. Yay! So excited!!! 😊

Katie

From: Troy Davis <busstop@cbarcharters.com>
Sent: Tuesday, February 13, 2018 12:30:10 PM
To: carpoolmomma@hotmail.com
Subject: Wine tour

Hi Katie,

What date are you interested in ?

CB Charters

Sent from my iPad

ATTACHMENT G

Re: Wine tour - Katie Lalane

Page 1 of 2

Re: Wine tour

Troy Davis <busstop@cbarcharters.com>

Tue 2/13/2018 5:24 PM

To:Katie Lalane <carpoolmomma@hotmail.com>;

If you guys go the following Saturday I have a bit of a different route (better wineries in my opinion) Cave B is always nice and beautiful. Pete Beaumont has awesome wine and Jones winery gives nice big pours.

These guys are going a different direction.

We're pretty inexpensive as we only charge 99 per hour for the first four hours then 25 for each additional hour so you can be as flexible with time as you like. So the savings wouldn't be that much as they only have four people. If you are splitting it with ten that's pretty cheap.

Sent from my iPad