



**STATE OF WASHINGTON**  
**UTILITIES AND TRANSPORTATION COMMISSION**  
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October 20, 2014

**NOTICE GRANTING REQUEST FOR EXTENSION OF TIME  
TO SUBMIT STATEMENTS OF FACT AND LAW  
(Now Due by Friday, November 7, 2014)**

**NOTICE EXTENDING DEADLINE FOR  
COMMISSION ACTION ON PETITION  
(By Thursday, November 20, 2014)**

RE: *In the Matter of the Petition of James and Clifford Courtney For a Declaratory Order on the Applicability of Wash. Rev. Code § 81.84.010(1) and Wash. Admin. Code § 480-51-025(2), Docket TS-143612*

**TO ALL PARTIES AND INTERESTED PERSONS:**

On October 2, 2014, James and Clifford Courtney (collectively, Petitioners) jointly filed with the Washington Utilities and Transportation Commission (Commission) a Petition for a Declaratory Order (Petition) as to the applicability of the certificate of public convenience and necessity requirement set forth in RCW 81.84.010(1) and WAC 480-51-025(2) to boat transportation service on Lake Chelan for customers or patrons of specific businesses or group of businesses.

On October 3, 2014, the Commission issued a notice to all interested person setting a deadline of October 20, 2014, to submit a statement of fact and law on the issues raised in the Petition. The Commission subsequently extended the deadline for submitting statements of law and fact to October 22, 2014, in response to a request from counsel for Arrow Launch Service, Inc.

On October 17, 2014, Commission Staff (Staff) filed a motion requesting that the Commission extend the deadline for filing statements of law and fact to November 7, 2014. Staff represents that its “counsel is new to the case and will benefit from additional time to review the complex facts, legal issues, and procedural history presented by this docket,” and that the Petitioners have no objection to the requested extension.

RCW 34.05.240(5) and WAC 480-07-930(5) require the Commission to act on the Petition within thirty days after receipt, which is November 3, 2014. Staff’s requested deadline for filing statements of law and fact falls after this date. Accordingly, we

construe Staff's request and the lack of objection from the Petitioners as an agreement to extend the deadline both for responses and for Commission action on the Petition.

The Commission agrees that the Petition has a lengthy procedural history and raises potentially complex issues of fact and law that interested persons and the Commission should have sufficient time to review and analyze before the Commission decides how to proceed. The Commission, therefore, accepts the agreement to extend the deadline for responses and for Commission action on the Petition. Statements of fact and law are due November 7, 2014, and the Commission will determine whether to issue a declaratory order or conduct additional proceedings by November 20, 2014.

**NOTICE IS GIVEN That the deadline for all interested persons to submit either a statement of fact and law or a request to be placed upon the Commission's service list in the event of further proceedings must be filed with the Commission no later than 5:00 p.m., Friday, November 7, 2014.**

**NOTICE IS FURTHER GIVEN That the Commission will determine whether to issue a declaratory order or conduct additional proceedings by Thursday, November 20, 2014.**

STEVEN V. KING  
Executive Director and Secretary