

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

In The Matter of a Petition Requesting  
Commission Permission Allowing  
Temporary Discontinuance of  
Commercial Ferry Service,

by

SAN JUAN ISLAND SHUTTLE  
EXPRESS, INC., BC-120,

DOCKET NO. TS-020464

ORDER GRANTING AUTHORITY TO  
TEMPORARILY DISCONTINUE  
SERVICE AUTHORIZED UNDER  
CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY

**MEMORANDUM**

- 1 On April 16, 2002, San Juan Island Shuttle Express, Inc., (Company) holder of commercial ferry certificate of public convenience and necessity BC-120, filed with the Washington Utilities and Transportation Commission a petition requesting permission from the Commission to temporarily discontinue service authorized under the company's certificate.
- 2 The Company operates annually from April through October providing commercial ferry service between Friday Harbor and Bellingham, and between Obstruction Pass and Bellingham, with the carrying vessel touching at Obstruction Pass on voyages to and from Friday Harbor. Further, in conjunction with this authority, the vessel makes flag stops at Eliza Island, Sinclair Island, Blakely Island, Lopez Island, Orcas Landing on Orcas Island, and Brandt's Landing on Orcas Island.
- 3 The company operates its certificate using leased vessels. In its petition the company reports it has been unable to locate vessels and negotiate agreements for use of those vessels for the 2002 sailing season.
- 4 The Company requests that the Commission grant permission to temporarily discontinue service for a period of twelve months, returning to service in April, 2003. The Company believes that temporary suspension of service will allow them to locate a suitable vessel and negotiate a fair operating contract.
- 5 WAC 480-51-130 provides that:
- No certificate holder shall discontinue the service authorized under its certificate and set forth in its filed time schedule without first having given to the commission and to the public, at least fifteen days' notice, in writing, of its intention to

discontinue such service, and without having secured the commission's permission. The commission shall not grant permission for discontinuance of service for periods exceeding twelve months.

6 This matter was brought before the Commission at its regularly scheduled open meeting on April 24, 2002. The Commissioners, having been advised in the matter, and having determined the following order to be consistent with the public interest, directed the Secretary to enter the following order and related provisions.

### FINDINGS

- 7 (1) San Juan Island Shuttle Express, Inc., BC-120, is engaged in the business of providing commercial ferry service within the state of Washington as a public service company, and is subject to the jurisdiction of the Commission.
- 8 (2) On April 16, 2002, San Juan Island Shuttle Express, Inc., filed with the Commission a petition requesting Commission permission to discontinue service authorized by the company's certificate of public convenience and necessity, BC-120. The discontinuance requested by the company encompasses the period of April 2002 to April 2003.
- 9 (3) The proposed discontinuance petition by San Juan Island Shuttle Express, Inc., BC-120, is reasonable because the boats the company normally leases to provide this service are not available this year and should be approved. The Commission will impose a condition that provides for passenger service should an immediate and emergent need arise. Under this condition should an immediate need arise for commercial ferry service, San Juan Island Shuttle Express, Inc., must be prepared to resume service to meet those needs. If San Juan Island Shuttle Express, Inc., cannot, or will not, resume service the Commission will consider that it has waived interest in its commercial ferry certificate. The Commission will then institute proceedings to cancel the company's certificate and to grant authority to another carrier who is prepared to meet the needs of the traveling public.

### ORDER

- 10 (1) Permission is given to San Juan Island Shuttle Express, Inc., BC-120, to temporarily discontinue service authorized under the company's certificate of public convenience and necessity for the period April 2002 to April 2003.
- 11 (2) This authorization is conditioned on the company resuming service should an immediate need arise for commercial ferry service. San Juan Island Shuttle Express, Inc., BC-120 must be prepared to resume service to meet those needs. If San Juan Island Shuttle Express, Inc., BC-120 cannot, or will not,

resume service the Commission will consider that the company has waived interest in its commercial ferry certificate. The Commission will then institute proceedings to cancel the company's certificate and to grant authority to another carrier who is prepared to meet the needs of the traveling public.

DATED at Olympia, Washington, and effective this 24th day of April, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary