

TS-060061

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 South Evergreen Park Drive SW

P. O. Box 47250

Olympia, WA 98504-7250

(360) 664-1222

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STATE OF WASH.  
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COMMERCIAL FERRY APPLICATION

Application is made in accordance with RCW 81.84 for a Certificate of Public Convenience and Necessity to operate vessels in furnishing Passenger - Freight - Excursion - Ferry Service.

\$200.00 APPLICATION FEE MUST ACCOMPANY THIS APPLICATION

Complete this application in its entirety, adding additional sheets if necessary.

FOR OFFICIAL USE ONLY

RECEPTION NO. <u>0000931</u>	MAP _____ INSURANCE _____ SAFETY INSP. CERT. _____ TARIFF _____ TIME SCHEDULE _____ SHIPPER SUPPORT _____	DATE REC'D <u>1/10/06</u> APPLIC'N NO. <u>B-79418</u> MOT CAR NO. <u>44159</u>
AMOUNT \$ <u>200.00</u> (111-0268-0216-02)		

INDICATE TYPE OF APPLICATION:

(Only one type per application)

- Original Certificate
- Extension of Authority
- Transfer all Authority
- Transfer a Portion of Authority
- Temporary Certificate
- Lease of Certificate
- Mortgage of Certificate
- Acquisition of Control

INDICATE TYPE OF SERVICE APPLYING

FOR:

- Certificated commercial ferry - including excursion service and/or launch service
- Excursion service only
- Launch service only

UBI - 602-166-027 *ad*

1. Name of applicant SEAN MCNAMARA (x) Individual  
( ) Partnership  
( ) Corporation

2. d/b/a PACIFIC SEA TAXI Unified Business Identifier (UBI) No. \_\_\_\_\_

3. Physical Address 2501 FRANKLIN STREET  
(City, State, Zip) BELLINGHAM, WA. 98225

Mailing Address - SAME -  
(City, State, Zip) \_\_\_\_\_

Telephone Number (360) 393-7123 Fax Number (360) 752-5726  
\*call first

4. List names and addresses of all persons having an interest in the business. If a CORPORATION, give names and addresses of two principal officers, noting their titles, and indicate in which state incorporated. If a PARTNERSHIP, attach a certified copy of the partnership agreement, which sets forth the responsibility of the interested individuals.

SEAN McNAMARA

5. List the territory in which you wish to operate:

SAN JUAN ISLANDS, WA.  
PASSENGER FERRY SERVICE BETWEEN  
BELLINGHAM AND ORCAS ISLAND, WITH  
FLAG STOPS.

**Waiver of ten-mile restriction:** Are you applying for territory which would require a waiver to provide service otherwise forbidden by the ten-mile restriction in RCW 47.60.120?

Yes       No

If yes, state fully the circumstances that justify Commission grant of such a waiver:

\*Please see attached

6. Attach a map which shows in detail the proposed routes, clearly showing beginning, ending, and intermediate points to be served. Also show the routes of other carriers giving similar service into the same or neighboring territory (if known to applicant).

7. Will an attorney be representing you at the hearing?       Yes       No

If yes, give specific attorney's name \_\_\_\_\_

Telephone Number (    ) \_\_\_\_\_ Address \_\_\_\_\_

8. Attach a copy of the tariff you propose using. The tariff must contain proposed fares and rates to be assessed for service and the rules and regulations governing same. The tariff must comply with WAC 480-51-080 and the rules in the Commission's Tariff Circular No. 6 (WAC 480-149).
9. Attach a copy of the time schedule you propose using. The schedule must show routes, trips, times, points served, distances and available facilities. The time schedule must comply with WAC 480-51-090 of the Commission's Laws and Rules Relating to Commercial Ferry Service.
10. List vessels which are owned (unless otherwise stated) and will be used in the proposed service:

Name	Passenger Freight or Ferry Type	Power	Passenger Capacity	Freight Capacity	Owned, Leased, other?
TRITON	FERRY	DIESEL	12	500 LB	LEASED

11. List the docks which will be used in the proposed service. (List all facilities giving names, location, description, value if owned, and any other information of value showing the proposed service)  
*\*please see attached*

12. Complete the following financial statement:

**FINANCIAL STATEMENT**

Cash on hand and in bank	\$	<u>24,000 -</u>	Notes payable	\$	<u>0</u>
Notes receivable		<u> </u>	Accounts payable		<u>0</u>
Accounts receivable		<u> </u>	Other liabilities:		<u>0</u>
Stocks in other companies		<u> </u>			<u> </u>
Vessels (listed above)		<u> </u>			<u> </u>
Bonds		<u>2,500 -</u>			<u> </u>
Docks (listed above)		<u> </u>			<u> </u>
Machinery, tools, etc.		<u> </u>			<u> </u>
Real estate (listed below)		<u> </u>			<u> </u>
Other assets (listed below)		<u> </u>			<u> </u>
<b>Total</b>	<b>\$</b>	<b><u>26,500.00</u></b>	<b>Total</b>	<b>\$</b>	<b><u>0</u></b>

A. List all Real Estate as to location and value (List here only such property as cannot be listed under item 10)

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

B. List total "Other Assets" mentioned above:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

13. List conditions that exist which would justify the granting of a Certificate of Public Convenience and Necessity:

\*Please see attached -  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. List names and addresses of all persons, firms, or corporations now furnishing similar service between any of the points or along any portion of the route proposed to be served:

ISLAND COMMUTER/PACIFIC CRUISES NORTHWEST  
355 HARTZ AVE #104  
BELLINGHAM, WA. 98225

15. State applicant's prior experience, if any, in providing commercial ferry service:

PROVIDING CHARTER SERVICE TO SAN JUAN'S  
FOR PAST FOUR YEARS. NO COMMERCIAL FERRY  
EXPERIENCE.

12 YEARS EXPERIENCE IN MARINE INDUSTRY/  
COMMERCIAL FISHING, CHARTER, NATURAL  
HISTORY TRIPS.

16. All applicants must attach separate sheets containing the following information:

- a. Pro forma financial statement of operations (projections of incomes and expenses for first year operations).
- b. Ridership and revenue forecasts.
- c. The cost of service for the proposed operation.
- d. An estimate of the cost of the assets to be used in providing service.

17. If certificate is granted, carrier will begin operations within 90 days of that grant.

**18. If this is a transfer application, you must:**

- Complete attachment A.
- If this application is for transfer of a portion of certificated authority, attach document clearly showing authority to be transferred and a document clearly showing the authority to be retained.

**If this is an application for a temporary certificate you must:**

- Attach proof of insurance
- Attach statements from potential customers showing immediate and urgent need for service.
- Attach proof that all vessels to be operated under the temporary are inspected and found to be safe and seaworthy.

**If this is a transfer through acquisition of control of the stock, you must:**

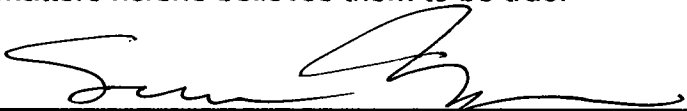
- Attach copy of the corporate minutes authorizing such transfer.

.....

The applicant certifies he/she is familiar with the provisions of Chapter 81.84 RCW and Chapter 480-51 WAC, Laws and Rules of the Washington Utilities and Transportation Commission, governing the operation of vessels and ferries upon the waters of the state of Washington. Applicant further certifies that vessels operated under Certificates of Public Convenience and Necessity are in no way released from the necessity of observing all Federal and State laws providing for the registration of vessels, the observance of navigation and maritime rules and regulations, and other matters subject to Federal or State enactments.

Applicant affirms that its operations shall be at all times within the provisions of such acts, and requests the Washington Utilities and Transportation Commission to make its order granting a Certificate of Public Convenience and Necessity as provided in Chapter 81.84 RCW and Chapter 480-51 WAC.

The applicant swears or affirms that he/she has read the foregoing application and knows the contents, that the same is true of his/her own knowledge, except as to matters which are therein stated on information or belief, and as to those matters he/she believes them to be true.

  
\_\_\_\_\_

Signature of Applicant

01/09/2006  
\_\_\_\_\_

Date

**ATTACHMENT A**

**Attachment for Certificated Commercial Ferry Application When Transfer is Involved**

Certificate of Public Convenience and Necessity No. BC-\_\_\_\_\_ is attached and authorizes the furnishing of passenger-freight-ferry-excursion service by vessel between:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The applicant (buyer) desires to obtain all/a portion of the rights pursuant to RCW 81.84.030 of said

\_\_\_\_\_ (name certificate now in) who hereby agrees to the cancellation of the said certificate as applicable and the issuance in lieu of a like certificate in the name of the applicant (buyer). Both the certificate holder and the applicant (buyer) are familiar with the provisions of WAC 480-51-100 relating to the filing of annual reports and payment of fees on cessation of operation and jointly bind themselves to see that such rule is complied with. It is further represented by both parties that the sale or transfer applied for is not for the purpose of hindering, delaying or defrauding creditors.

Does the seller propose to transfer any properties or facilities together with the certificate?  
 Yes  No

If "Yes", the seller and the purchaser agree to jointly file an application under the provisions of RCW Chapter 81.12 if any of the seller's physical assets necessary or useful in the performance of its duties to the public are to be transferred to the purchaser, in addition to the Certificate of Public Convenience and Necessity requested.

Applicant (Seller) \_\_\_\_\_

By \_\_\_\_\_

Name & Title

Date \_\_\_\_\_

Applicant (Buyer) \_\_\_\_\_

By \_\_\_\_\_

Name & Title

Date \_\_\_\_\_

5a.

Presently there is no year round service available between Bellingham, and the San Juan Islands.

Many Island residents need to have access to major health care facilities, Airport, train and bus stations, as well as bulk shopping and services.

Being passenger only, our service will cut down on automobile traffic on Islands, and mainland, as well as reducing harmful emissions.

Our service will not impact the Washington State Ferry System in any negative way. However, we may relieve some of the over-crowding, and wait times, presently being experienced in the Summer months.

11.

Bellingham Cruise Terminal, Bellwether Hotel, Eliza, Sinclair, Obstruction Pass, Olga, Rosario Resort, Lopez (Odlin Park), Blakely Island Marina.



13.

All of Northwest Washington is experiencing a large population growth. As a result, public transportation, especially State Ferries, are being stretched to their limits. Overcrowding, long wait times, and congestion seems to be an everyday occurrence. Automobile traffic is also at an all time high, crowded roads and harmful emissions are all part of everyday travel.

Island residents desperately need convenient year round service to major health care facilities, shopping, and major transportation terminals, which can all found in Bellingham. I personally know many people who work in Bellingham part-time, but live in the Islands, or vice versa. On the State Ferry system, it may take them up to three hours, one way, to get to work. With our service, travel time is under an hour.

Presently there is no year round service between Bellingham and The San Juan Islands. Permits are held by three other companies, (San Juan Island Shuttle Express Inc., Island Mariner Inc., and Pacific Cruises Northwest) however only one utilizes their permit, and is limited to the Summer season. Pacific Sea Taxi can play a critical role in offering a valuable, passenger only service to the public. Alleviating some of the congestion, and reducing the number of automobiles and emissions. The proposed is a fast, simple, and efficient solution to a growing problem.

Time Schedule Number: 1

Cancels

Time Schedule Number:

Time Schedule

of

Pacific Sea Taxi

Certificate Number: -Pending-

Operating under the ~~Trade~~ Name of *dfb/a* Pacific Sea Taxi ← *Sean McNamara*

Providing Commercial Ferry Service in the following described territory:

Between Bellingham and Orcas Island  
with flag stops at: Eliza, Sinclair, Cypress, Lopez, Blakely

With Terminals at:

Bellingham Cruise Terminal, Bellwether Hotel, Eliza, Sinclair, Obstruction Pass,  
Rosario Resort, Odlin Park (Lopez), Blakely Island Marina

Issued by:

Sean McNamara, Owner - Pacific Sea Taxi  
2501 Franklin Street  
Bellingham, Washington 98225  
(360) 393-7123

Issue Date: Jan. 09, 2006

Effective Date:

Page Effective Date:

For Commision Use Only:

Docket No.

Commision Order No.

Time Schedule Number: 1

Revised Page Number:

**Pacific Sea Taxi**

**Time Schedule:**

Between Bellingham, Washington and Rosario Resort (Orca Island, WA.).  
With Flag stops at Eliza Island, Sinclair Island, Cypress Island, Obstruction Pass (Orcas),  
Lopez Island, and Blakely Island.

\*Note: Flag stop arrival/departure times will be determined upon departure.

**Summer Schedule:**

Operating daily from May 1, through Oct. 31

**Depart Bellingham: 0900**

Flag Stops at: Eliza Island, Sinclair Island, Cypress Island,  
Obstruction Pass (Orcas), Blakely Island, Lopez Island

**Arrive Rosario Resort: 1000**

**Depart Rosario Resort: 1005**

Flag Stops at: Obstruction Pass, Cypress Island, Sinclair Island, Eliza Island

**Arrive Bellingham: 1100**

**Depart Bellingham: 1700**

Flag Stops at: Eliza Island, Sinclair Island, Cypress Island,  
Obstruction pass (Orcas), Blakely Island, Lopez Island

**Arrive Rosario Resort: 1800**

**Depart Rosario Resort: 1805**

Flag Stops at: Obstruction Pass, Cypress Island, Sinclair Island, Eliza Island

**Arrive Bellingham: 1900**

**Winter Schedule:**

Operating 5 days per week (Thursday through Monday) from Nov. 1 through Apr. 30

\*Morning departure/arrival times, and flag stops, same as Summer Schedule.

**Depart Bellingham: 1500**

Flag Stops at: Eliza Island, Sinclair Island, Cypress Island,  
Obstruction pass (Orcas), Blakely Island, Lopez Island

**Arrive Rosario Resort: 1600**

**Depart Rosario Resort: 1605**

Flag Stops at: Obstruction Pass, Cypress Island, Sinclair Island, Eliza Island

**Arrive Bellingham: 1700**

Issue Date: Jan. 09, 2006

Effective Date:

Issued by:

Sean McNamara, Owner-Pacific Sea Taxi 2501 Franklin St. Bellingham, WA. 98225

*For Commission Use Only:*

Page Effective Date:

Docket No.

Commission Order No.



5 Nautical Miles

Tariff Number: 1

Cancels

Tariff Number:

Pacific Sea Taxi

Certificate Number: -Pending-

Operating under the Trade Name of

Pacific Sea Taxi

**Naming Fares and Rates for Commercial Ferry Service**

In the following described territory:

Between Bellingham and Orcas Island  
with flag stops at: Eliza, Sinclair, Cypress, Lopez, Blakely

Issued by:

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2501 Franklin Street  
Bellingham, Washington 98225  
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**Pacific Sea Taxi**

**PASSENGER FARE SCHEDULE**

This fare schedule applies to single person/one way and round trip fares:

	<u>One-Way</u>	<u>Round Trip</u>
<u>Between Bellingham &amp; Orcas, &amp; Flag Stops: Obstruction Pass Blakely, Lopez</u> -----	\$35-----	\$60-----
<u>Flag Stops: Eliza, Sinclair, Cypress</u> -----	\$30-----	\$50-----

Rules:

1. Commuter fare books may be purchased for \$500/10 round trip tickets, or \$600/20 one-way tickets (Between Bellingham & Orcas, flag stops: Obst. Pass, Blakely, Lopez).
2. Commuter fare books may be purchased for \$400/10 round trip tickets, or \$500/20 one-way tickets (Flag stops: Eliza, Sinclair, Cypress).
3. Fare books are good for 6 months from the date of purchase.
4. Children 2 and under are free, 12 and under are \$5.00 off/round trip
5. Passenger baggage 75 pounds, and under is free of charge.
6. Passenger baggage or freight over 75 pounds will be charged \$25 per 75 pounds.
7. Bikes and kayaks are allowed, \$5.00 each way
8. Dogs and Cats are allowed free of charge. Cats must be in carrier, dogs must be leashed. The owner of animal is liable for any injury or damage caused by animal while onboard.
9. The carrier will not be liable for delays caused by accidents, breakdowns, storms, or other conditions beyond its control. Though every effort will be made to meet the published time schedule, the carrier makes no guarantee to arrive at or depart from, any point at a specific time.
10. The company reserves the right to refuse to transport persons under the influence of drugs or liquor, or who are incapable of taking care of themselves, or whose condition, conduct, or behavior may be objectionable to other passengers.
11. All service is by Reservation Only.
12. Return trip for Round Trip tickets must be used within 2 weeks.

Issue Date: Jan. 09, 2006

Effective Date:

Issued by: Sean McNamara, Owner - Pacific Sea Taxi  
2501 Franklin St. Bellingham, WA. 98225 360.393.7123

Page Effective Date:

For Commission Use Only  
Docket No.

Commission Order No:

**Pacific Sea Taxi  
Pro Forma Financial Statements/Year 1**

**Projected Income and Expenses**

**Vessel Expenses:**

Vessel Lease	\$24,000
Insurance	\$5,500
Fuel and Oil	\$15,000
Repair and Maintenance	\$2,500
Dock fees	\$4,000
Misc. supplies	\$1,000

**Non-Vessel Expenses:**

Office	\$1,000
Phone	\$1,200
Advertising	\$2,500
Taxes and License	\$1,200
Vehicle expense	\$500
Salaries	\$18,000

**Total Expenses** **\$76,400**

**Revenue** **\$79,860**

**Profit/loss** **+\$3,460**

**Pacific Sea Taxi  
Pro Forma Financial Statement for year 1**

**Ridership and Revenue Forecast**

Destination	Summer Season/ Daily Boardings	Winter Season/ Daily Boardings	Revenue@ average \$30 1/2 round trip Summer	Revenue@ average \$30 1/2 round trip Winter	# of days in Summer Average 4 per week	# of days in Winter Average 2 per week	Summer Revenue	Winter Revenue	Annual Ridership
<b>Bellingham</b>	6	2	\$180	\$60	96	48	\$17,280	\$2,880	672
Eliza	6	2	\$180	\$60	72	36	\$12,960	\$2,160	504
Sinclair	2	1	\$60	\$30	48	24	\$2,880	\$720	120
Cypress	2	1	\$60	\$30	24	6	\$1,440	\$180	54
Blakely	4	2	\$120	\$60	60	20	\$7,200	\$1,200	280
Lopez	4	2	\$120	\$60	72	36	\$8,640	\$2,160	360
Orcas	6	2	\$180	\$60	96	48	\$17,280	\$2,880	672
<b>Totals</b>	<b>30</b>	<b>12</b>	<b>\$900</b>	<b>\$360</b>			<b>\$67,680</b>	<b>\$12,180</b>	<b>2,662</b>



**Pacific Sea Taxi  
Pro Forma Financial Statements/Year 1**

**Cost of Service**

Shown in Expenses, \$76,400

**Pacific Sea Taxi  
Pro Forma Financial Statements/Year 1**

**Cost of Assets**

Vessel "Triton" Lease with option \$2000/month  
Purchase price \$180,000