

Lake Chelan Recreation, Inc.
dba Lake Chelan Boat Company / Lady of the Lake
P.O. Box 186
Chelan, WA 98816

March 9, 2010

Washington Utilities & Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

RE: Petition requesting waiver of rule WAC 480-149-060(1)(a)

To the Commission,

It has come to our attention that our ticket refund policy, as stated in our Tariff No. 63, and previously approved by the W.U.T.C., may not be in line with WAC 480-149-060(1)(a). To rectify that, we are requesting a waiver of rule WAC 480-149-060(1)(a).

The rationale for Lake Chelan Boat Company's refund policy is:

- 1) Passengers purchase tickets for either the Lady Express or the Lady of the Lake II for a set going date and a set returning date. Although it is less common on the larger vessel, the Lady of the Lake II, and more common on the smaller Lady Express, the vessels do sell to capacity occasionally. Therefore, if a passenger purchases a ticket for a particular voyage and does not travel on that voyage, and it is a full to capacity sailing, they have caused other customers to be turned away and caused that sailing to be a less profitable sailing, thus causing a future increase in rates.
- 2) It is important to note that in our Tariff No. 63, Item 60 (C), Tickets will be honored for travel by the original purchaser on a day other than the ticket date, on a space available basis, and if within one year of the purchase date, if they were not used for the original date of travel. Also (D) tickets will be good for one year from the date of purchase (to be used as stated in (C)).
- 3) Further, it is important to note that in our Tariff No. 63, Item 60 (B), refunds in full will be given if requested within two days prior to the scheduled departure.

- 4) Because our boats make just one trip per day, we must take reservations and pre-sell tickets. Many passengers come from out of the area and are destined for overnight stays in the upper regions of Lake Chelan, to include Holden Village and Stehekin. It is important they know they can reach those destinations on the intended day, or they would face financial consequences by not arriving as scheduled, and because they would need to find accommodations in the local Chelan area, which can be both expensive, and during the summer season unavailable.

It is not the intent to charge passengers for tickets that have not been used, and that is why we offer the flexibility to use their tickets within one year's time on another voyage, on a space available basis.

However, we do not feel it is appropriate to turn passengers away because other customers are not being responsible and cancelling the space they are holding. Our policy is generous in the transportation industry. We are not aware of other transportation services that allow a person to purchase a ticket for travel, and not use it as purchased, and then get a full refund.

If you have any questions regarding this petition please contact Cindy Engstrom at 509-682-1123 or email at cindy@ladyofthelake.com. Thank you for your assistance.

Sincerely,

Jack Raines

Jack Raines, President

Lake Chelan Recreation, Inc.