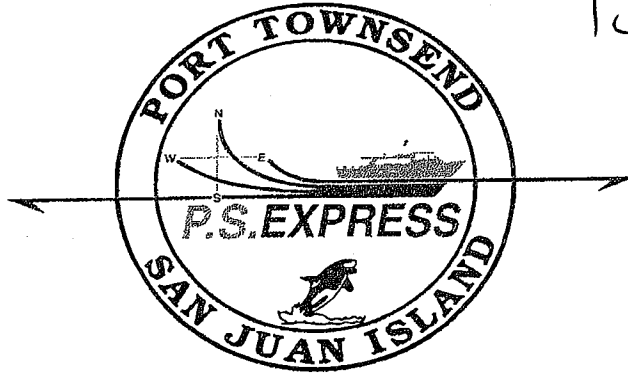


TS-100863



Puget Sound Express BC-118  
 227 Jackson St.  
 Port Townsend, WA 98368

2010 MAY 18 AM 9:58  
 STATE OF WASH  
 INTL AFF AFFAIRS  
 RECEIVED  
 05/18/2010

May 17, 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. 5 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 Puget Sound Express refund policy is:

- 1) Passengers reserve tickets for a specific date, both going and returning. Occasionally, the vessel fills to capacity. Therefore, if a passenger reserves space and does not travel on that date, and it is a full sailing, they have caused other customers to be turned away and caused that sailing to be a less profitable sailing, thus potentially causing future increase in rates.
- 2) It is important to note that when Puget Sound Express is informed by the passenger that they have difficulty in keeping their reservation ( within the 48 hour time frame) we work with them, on a space available basis, for another date. There is no time limit to tickets being honored for travel by the original purchaser on a day other than the their original confirmed reservation.
- 3) Further, it is important to note that passengers are not charged if they cancel 48 hours prior to departure. This information is on our website, brochure and given to the passenger when they make a reservation.

- 4) Most all of our passengers are tourists from other places. Because, we make one trip a day, it is important that passengers know they can travel with us on their intended day.

It is not our intent to charge passengers for seats that have not been used. It is in consideration for others that we ask for a 48 hour notice of changes in travel plans. We do not feel it is appropriate to turn passengers away because others are not being responsible and cancelling the spaces they are holding.

If you have any questions regarding this petition please contact Sherri Hanke 360-385-5288.

Thank you for your time and consideration.

Sincerely,

***Sherri Hanke***

Puget Sound Express