

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	
TRANSPORTATION COMMISSION,	)	DOCKET TE-151906
	)	ORDER 01
Complainant,	)	
	)	NOTICE OF EMERGENCY
v.	)	ADJUDICATION AND ORDER
	)	SUSPENDING CERTIFICATE
RIDE THE DUCKS OF SEATTLE,	)	
L.L.C. d/b/a SEATTLE DUCK TOURS,	)	NOTICE OF HEARING ( <b>Set for</b>
	)	<b>October 1, 2015, at 9:30 a.m.</b> )
Respondent.	)	
.....	)	

- 1 By September 30, 2015, Commission Staff will file a complaint against Ride the Ducks of Seattle, LLC d/b/a Seattle Duck Tours (Ride the Ducks). The complaint will allege that Ride the Ducks has operated at least one of its vehicles, Duck 6, in an unsafe manner resulting in at least five deaths and scores of injuries in a single incident occurring on September 24, 2015. The Washington Utilities and Transportation Commission (Commission) must act quickly for the public’s health, safety, and welfare. This important governmental interest mandates emergency suspension of the certificate held by Ride the Ducks, Certificate No. ES-00146, pending investigation and inspection of Ride the Ducks’ entire fleet of vehicles and drivers. This immediate cessation of service is warranted. Ride the Ducks has agreed to suspension of its activities pending the Commission’s investigation. A prompt and adequate post-suspension process will follow this summary action.
  
- 2 A more detailed account of the dispute will be reflected in the complaint, which will be available for inspection at the Commission's office located at Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, and on the Commission's website at [www.utc.wa.gov](http://www.utc.wa.gov).
  
- 3 Pursuant to RCW 34.05.422(4), RCW 34.05.479, WAC 480-07-620, RCW 81.70.240, and WAC 480-30-171(1)(e), the Commission initiates this emergency adjudicative proceeding to prevent or avoid immediate danger to the public health, safety or welfare.

4 The Commission has jurisdiction over the subject matter pursuant to the provisions of chapters 81.01 RCW, 80.01 RCW, 81.04 RCW, and 81.70 RCW, chapter 480-30 WAC, chapter 480-07 WAC, and chapter 34.05 RCW. Specific provisions include but are not limited to: RCW 80.01.040, RCW 81.04.070, RCW 81.04.110, RCW 81.04.160, RCW 81.04.380, RCW 81.04.385, RCW 81.04.405, RCW 81.04.410, RCW 81.04.460, RCW 81.70.270, RCW 81.70.310, and WAC 480-30-206, WAC 480-30-211, WAC 480-30-213, WAC 480-30-216, and WAC 480-30-221. Also applicable are RCW 34.05.422(4), RCW 34.05.479, and WAC 480-07-620, emergency adjudicative proceedings.

5 THE COMMISSION GIVES NOTICE That in accordance with WAC 480-07-440(1)(a) and RCW 34.05.479(4), the Commission has determined that good cause exists for this matter to be heard on shortened notice.

6 **NOTICE IS HEREBY GIVEN That this matter will be heard on Thursday, October 1, 2015, beginning at 9:30 a.m., in the Commission's hearing room, second floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

7 If any party or witness needs an interpreter or other assistance, please fill out the form attached to this notice and return it to the Commission.

8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default in accordance with RCW 34.05.440. The parties are further advised that the sanction provisions of WAC 480-07-450 are specifically invoked.**

9 The names and mailing addresses of all parties and their known representatives are as follows:

Complainant: Washington Utilities and Transportation  
Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250

Representative: Sally Brown  
Senior Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1193

Respondent: Ride the Ducks of Seattle L.L.C.  
d/b/a Seattle Duck Tours  
516 Broad Street Suite 210  
Seattle, WA 98109

Representative: Tom Ismon  
Brian Tracey  
Steve Burnstead  
516 Broad Street Suite 210  
Seattle, WA 98109

- 10* The Commissioners of the WUTC and Administrative Law Judge Gregory J. Kopta, from the Utilities and Transportation Commission's Administrative Law Division, will preside during this proceeding.
- 11* Notice of any other procedural phase will be given in writing or on the record, as the Commission may deem appropriate during the course of this proceeding.

DATED at Olympia, Washington and effective September 28, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

ANN E. RENDAHL, Commissioner

Inquiries may be address to:

Executive Director and Secretary  
Washington Utilities and Transportation  
Commission  
Richard Hemstad Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

**NOTICE**

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and if limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Steven V. King, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket No.: \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_