

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of

BAKER BUS SKI AND SNOWBOARD  
CLUB,

For Compliance with WAC 480-30-221.

DOCKET TE-240673

NOTICE OF INTENT TO CANCEL  
CERTIFICATE AS A PASSENGER  
TRANSPORTATION COMPANY

NOTICE EXTENDING  
CANCELLATION DATE OF  
PASSENGER CHARTER AND  
EXCURSION CARRIER  
CERTIFICATE  
**(Cancellation date extended to  
October 28, 2024.)**

NOTICE OF BRIEF  
ADJUDICATIVE PROCEEDING;  
SETTING TIME FOR ORAL  
STATEMENTS  
**(Set for October 21, 2024, at 1:30  
p.m.)**

- 1 Pursuant to Revised Code of Washington (RCW) 81.70.270, the Washington Utilities and Transportation Commission (Commission) has authority to regulate passenger charter and excursion carriers, including passenger transportation companies, with respect to safety of operations. Washington Administrative Code (WAC) 480-30-171 provides that the Commission may cancel a passenger transportation company's certificate and operating authority for cause, including when the carrier fails to comply with safety requirements.
- 2 Commission staff (Staff) recommends that the Commission cancel the certificate of Baker Bus Ski and Snowboard Club (Baker Bus or Company) for cause due to the Company's failure to comply with applicable laws and Commission rules pertaining to the operation of passenger transportation companies, including safety requirements set in law or rule.
- 3 WAC 480-30-999 adopts by reference Title 49 of the Code of Federal Regulations (49 C.F.R.) pertaining to safety requirements for passenger transportation companies. WAC 480-30-221 specifically requires passenger transportation companies to comply with, among other provisions, 49 C.F.R. Parts 382, 385, 390, 391, 395, and 399. 49 C.F.R. § 385.13 prohibits motor carriers transporting passengers in a commercial motor vehicle from operating beginning on the 46th day after the date of a notice of proposed

unsatisfactory rating. Pursuant to 49 C.F.R. 385.17(a), a carrier that receives a proposed unsatisfactory or conditional safety rating may request a change in its safety rating based on evidence that the company has taken corrective action to address the identified violations and that the company's operations currently meet the safety fitness standards.

4 On December 10, 2021, the Commission granted Baker Bus a charter and exclusion carrier certificate (No. CH-070042).

5 In July 2024, Staff conducted an investigation into Baker Bus's compliance with the safety requirements contained in Chapter 480-30 WAC. As a result of this investigation, Staff documented 24 safety requirement violations with 73 individual occurrences and proposed an unsatisfactory safety rating. Staff notified the Company of this proposed rating on August 27, 2024. Under normal circumstances, pursuant to 49 C.F.R. § 385.13(a)(1), Baker Bus would have been required to come into compliance with applicable laws by obtaining Commission approval of a safety management plan no later than October 11, 2024, and if the Company failed to come into compliance by that date, the Commission would have cancelled its charter and excursion carrier services certificate effective October 12, 2024. Thereafter, as an unregistered company, Baker Bus would have been prohibited from providing charter and excursion carrier services in the state of Washington. However, given the unusually short time period between the issuance of this notice and the cancellation date, the Commission on its own initiative and consistent with the goal of ensuring the public interest in the form of due process, hereby extends the cancellation date to October 28, 2024, in accordance with WAC 480-07-110.

6 **THE COMMISSION GIVES NOTICE: That it intends to cancel the permit and authority of Baker Bus Ski and Snowboard Club to provide services as a passenger charter and excursion carrier effective October 28, 2024, for cause, following a hearing on the factual allegations set out above, unless the Company obtains Commission approval of a safety management plan prior to that date.**

7 The Company has the right to request a hearing in this matter. Due to the short time-frame set by the impending deadline, and pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission schedules a hearing on its own initiative and determines that a brief adjudicative proceeding is appropriate for determining whether the Commission should cancel Baker Bus's charter and excursion carrier services certificate.

8 **THE COMMISSION GIVES FURTHER NOTICE: That it will hold a virtual brief adjudicative proceeding in this matter on October 21, 2024, at 1:30 p.m. To attend the hearing by telephone, please call (253) 215-8782 and enter the conference ID: 885 2479 4318# and Passcode: 272475#. To attend via Zoom, please use the following link: [Click here to join the meeting](#).**

9 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.

- 10 Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide on its website, [www.utc.wa.gov](http://www.utc.wa.gov), copies of documents in the current record for use by the parties or others who may want to review them.
- 11 **Baker Bus must submit its proposed safety management plan no later than 5 p.m. on October 7, 2024. Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must electronically file any such documents with the Commission a list enumerating and describing any such documents no later than 5 p.m. on October 14, 2024. Filing shall be in accordance with WAC 480-07-140.**
- 12 THE COMMISSION GIVES NOTICE: That any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.
- 13 The names and mailing addresses of all parties and their known representatives are shown as follows:

Commission: Washington Utilities and  
Transportation Commission  
621 Woodland Square Loop SE  
Lacey, WA 98503

Representative: Liam Weiland  
Assistant Attorney General  
PO Box 40128  
Olympia, WA 98512  
(360) 972-5050  
[liam.weiland@atg.wa.gov](mailto:liam.weiland@atg.wa.gov)

Respondent: Paul Engel  
Baker Bus Ski and Snowboard Club  
PO Box 5147  
Glacier, WA 98244  
(360) 599-3115  
[hoboexpeditions@hotmail.com](mailto:hoboexpeditions@hotmail.com)

- 14 Administrative Law Judge Hayley Callahan, from the Commission's Administrative Law Division, will preside during this proceeding.<sup>1</sup>

DATED at Lacey, Washington and effective September 25, 2024

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<sup>1</sup> Judge Callahan can be reached at (360) 664-1189 or [hayley.callahan@utc.wa.gov](mailto:hayley.callahan@utc.wa.gov).

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

JEFF KILLIP  
Executive Director and Secretary

Inquiries may be addressed to:

Jeff Killip  
Executive Director and Secretary  
Washington Utilities and Transportation Commission  
621 Woodland Square Loop S.E.  
Lacey, WA 98503  
(360) 664-1160

**NOTICE**

Hearings are accessible to persons with disabilities and persons who do not speak English as a first language. 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.

If you need an interpreter, or have other special needs, please provide the information requested below via email to Stacey Brewster, paralegal, at [stacey.brewster@utc.wa.gov](mailto:stacey.brewster@utc.wa.gov).

(PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket: \_\_\_\_\_

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: \_\_\_\_\_