



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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July 14, 2017

**NOTICE OF OPPORTUNITY TO RESPOND TO PETITION
(By Friday, July 21, 2017)**

RE: *Washington Utilities and Transportation Commission v. Ride the Ducks of Seattle, LLC
d/b/a Seattle Duck Tours,
Docket TE-151906*

TO ALL PARTIES:

On September 24, 2015, an incident occurred on the Aurora Bridge in Seattle involving a Ride the Ducks of Seattle, LLC d/b/a Seattle Duck Tours (Ride the Ducks or Company) vehicle. On September 28, 2015, the Washington Utilities and Transportation Commission (Commission) conducted emergency adjudicative proceedings pursuant to RCW 34.05.479 and entered Order 01, Notice of Emergency Adjudication and Order Suspending Certificate (Order 01). Order 01 suspended Certificate No. ES-00146 to operate and provide excursion services (Certificate) held by Ride the Ducks pending the results of a Commission staff (Staff) investigation and inspection of Ride the Ducks' entire fleet of vehicles, drivers, and operations.

On December 22, 2017, the Commission entered Order 05, Order Approving Joint Stipulation, Lifting Suspension on Provision of Excursion Service using "Truck Ducks," and Continuing Suspension on use of "Stretch Ducks" (Order 05). Order 05, among other things, lifted the suspension of Certificate No. ES-00146 to operate and provide excursion services held by Ride the Ducks using its Truck Duck vehicles, but continued the suspension on its Stretch Duck vehicles "unless and until the Company demonstrates to the Commission's satisfaction that those vehicles do not pose an immediate danger to public safety."

On July 12, 2017, Ride the Ducks filed with the Commission a petition requesting to reinstate the authority to provide excursion services using its Stretch Duck vehicles. The petition claims that the manufacturer of the Stretch Ducks, Ride the Ducks International (RTDI) issued a recall for the front axle safety defect, as required by the National Highway Traffic Safety Administration, and will replace each of the front axles with one that has a coupler welded to the axle. The

petition further claims that Ride the Ducks has been notified by RTDI that it will receive new axles compliant with the recall “on or around July 12, 2017,” that Ride the Ducks intends to install and maintain the axles to the requirements set by the safety recall, and that this demonstrates that the vehicles do not pose an immediate danger to public safety.

THE COMMISSION GIVES NOTICE That the parties may respond to the petition by filing a written response with the Commission no later than Friday, July 21, 2017.

GREGORY J. KOPTA
Administrative Law Judge