

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the matter of the motion of

Sean McNamara d/b/a
Bellingham Water Taxi,

Petitioner,

V.

Pacific Cruises Northwest d/b/a
San Juan Cruises

Respondent

Docket TS-121253

Petitioners motion to dismiss application
TS-121395.

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1. Pursuant to WAC 480-07-380(1), and the WUTC Application requirements for a New Ferry service (shipper support statement/public support). Bellingham Water Taxi (Bellingham, WA. 98225) moves to Dismiss TS-121395, Pacific Cruises Northwest's application for new ferry service.
 2. On July 30, 2012, in Docket TS-121253, Sean McNamara d/b/a Bellingham Water Taxi filed with the Commission an application for an extension of Certificate BC-64619 for a certificate of public convenience and necessity to operate vessels in furnishing passenger ferry service. Notice of the application was published in the Commission's weekly Docket of August 2, 2012.
 3. On August 24, 2012, in Docket TS-121395, Pacific Cruises Northwest, Inc. d/b/a San Juan Cruises filed with Commission an application for a new certificate of public convenience and necessity to operate vessels in furnishing passenger-only ferry service between Bellingham and Friday Harbor. Notice of the application was published in the Commission's docket of August 31, 2012.
 4. The Commission consolidated San Juan Cruises' application (Docket TS-121395) with Bellingham Water Taxi's application (TS-121253) for joint consideration, pursuant to WAC 480-51-040(3).
 5. Pacific Cruises Northwest did not include a shipper support statement with its application, nor did they file one within the 30 days allowed from initial service. According to the Commissions requirements for a new application, this application should be denied.

Included as evidence is the Commissions wording on the Shipper support statement; **“you need one or more statements from persons proving that your services are needed, otherwise your application will be denied”.**

“Support statements should reach the WUTC WITHIN 30 DAYS or the APPLICATION MAY BE DISMISSED”.

6. Bellingham Water Taxi respectfully requests the commission Dismiss Pacific Cruises Northwest’s application TS-121395, based on the above evidence.

DATED this 10th day on December, 2012

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