

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION
1-360-664-1222**

In the matter of the suspension of)
private, nonprofit transportation provider) DOCKET TN-101687
certificate (NPC-1084))
) ORDER 01
PACE VAN SERVICE)
) ORDER SUSPENDING CERTIFICATE
for failure to file proof of liability and)
property damage insurance covering)
equipment.)
.....)

BACKGROUND

- 1 Private, nonprofit transportation providers operating in the state of Washington, subject to regulation by the Washington Utilities and Transportation Commission (Commission), must file and maintain proof of liability and property damage insurance.
- 2 On September 14, 2010, the Commission notified Pace Van Service, (Pace Van Service), that its certificate to operate as a private nonprofit transportation provider in Washington would be suspended if Pace Van Service's insurance company did not file with the Commission acceptable proof of insurance.
- 3 The Commission also told Pace Van Service that it could contest suspension of its certificate by requesting a hearing within ten (10) days of the date the notice was served.
- 4 The Commission has not received proof of insurance and Pace Van Service did not request a hearing.

FINDINGS AND CONCLUSIONS

- 5 (1) The Commission is an agency of the State of Washington with authority to regulate private, nonprofit transportation providers as defined in RCW 81.66.
- 6 (2) Pace Van Service is a private, nonprofit transportation provider operating in Washington state under certificate NPC-1084.
- 7 (3) On September 14, 2010, the Commission received notice of insurance cancellation related to Pace Van Service, effective October 14, 2010.

- 8 (4) The Commission is authorized by WAC 480-31-052(1)(a) to suspend a private, nonprofit transportation provider certificate for failure to file and maintain proof of insurance.
- 9 (5) The Commission is authorized by WAC 480-31-052(2)(c) to cancel a private, nonprofit transportation providers for failure to correct conditions leading to suspension within the time defined in the suspension order.

ORDER

THE COMMISSION ORDERS:

- 10 (1) The private, nonprofit transportation provider certificate NPC-1084, held by Pace Van Service is suspended for a period of 30 days effective October 14, 2010.
- 11 (2) Pace Van Service is directed to **cease** all operations associated with certificate NPC-1084 until the Commission receives proof of liability and property damage insurance and enters an order lifting this suspension order and authorizing you to resume operations.
- 12 (4) Pace Van Service may contest suspension of certificate NPC-1084 by requesting a hearing within ten (10) days of service of this Order. A hearing request does not affect the suspension of your certificate.
- 13 The Commission has delegated authority to the Secretary, or to the Secretary's delegate, to enter this Order under RCW 80-01-030 and WAC 480-07-905(4)(c); and Order 01 in Docket A-090485.

DATED at Olympia, Washington and effective October 14, 2010.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID PRATT
Assistant Director for Transportation Safety

NOTICE: This is an order delegated to the Secretary, or to the Secretary's delegate, for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least 14 days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site.

The Commission will schedule your request for review by issuing a notice of hearing to be held before an administrative law judge. The Commission, at its discretion, may consider your request for review in an adjudicative proceeding under RCW 34.05 Part IV, or in a brief adjudicative proceeding under RCW 34.05.482 through .494. Following hearing, the administrative law judge will enter an initial order. If you wish to seek review of the initial order, you may file a petition for administrative review under RCW 34.05.464, or if the matter is heard in a brief adjudicative proceeding, under RCW 34.05.491.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3), and WAC 480-07-905, as amended effective September 22, 2008.