

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

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| In the matter of the suspension of |) | |
| passenger transportation company |) | DOCKET TC-121120 |
| certificate C-64605 held by |) | |
| |) | ORDER 01 |
| BML INVESTMENTS LLC, d/b/a |) | |
| WENATCHEE VALLEY SHUTTLE, |) | ORDER SUSPENDING |
| |) | CERTIFICATE C-64605 |
| for failure of carrier to file proof of |) | |
| liability and property damage insurance |) | |
| covering equipment. |) | |
| |) | |

BACKGROUND

- 1 Passenger transportation companies operating in intrastate commerce subject to regulation by the Washington Utilities and Transportation Commission (Commission) must file and maintain proof of liability and property damage insurance.
- 2 On April 25, 2012, the Commission notified you by letter that your certificate to operate as a passenger transportation company in Washington would be suspended if your insurance company did not file with the Commission acceptable proof of insurance within 60 days. We also told you that you could contest suspension of your certificate by requesting a hearing within 10 days of receiving the notice.
- 3 The Commission has not received proof of insurance and you have not requested a hearing.

FINDINGS AND CONCLUSION

- 4 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington having authority to regulate passenger transportation companies as defined in RCW 81.68.
- 5 (2) BML Investments LLC, d/b/a Wenatchee Valley Shuttle, (BML Investments LLC), is a passenger transportation company operating in Washington State under certificate C-64605.
- 6 (3) On April 25, 2012, the Commission received an insurance binder valid for up to 60 days. The Commission notified you that if a Form E insurance certificate was not received within 60 days your certificate would be suspended.

- 7 (4) The Commission is authorized by WAC 480-30-171(1)(a) to suspend a passenger transportation company's certificate for failure to file and maintain proof of insurance.
- 8 (5) The Commission is authorized by WAC 480-30-171(2)(a) to cancel a passenger transportation company's certificate for failure to correct conditions leading to suspension within the time defined in the order of suspension.

ORDER

THE COMMISSION ORDERS:

- 9 (1) Certificate C-64605, held by BML Investments LLC, d/b/a Wenatchee Valley Shuttle, is suspended for a period of 30 days effective June 25, 2012.
- 10 (2) BML Investments LLC is directed to **cease** all operations associated with certificate C-64605 until the Commission receives proof of liability and property damage insurance and enters an order lifting the suspension and authorizing you to resume operations.
- 11 (3) If proof of insurance is not filed with the Commission within 30 days, certificate C-64605 will be cancelled. To reinstate this certificate you must submit a new application and acceptable proof of insurance.
- 12 (4) BML Investments LLC, d/b/a Wenatchee Valley Shuttle, may contest cancellation of certificate C-64605 by requesting a hearing within ten (10) days of service of this Order. A hearing request does not affect the suspension status 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(6)(d), and Order 01 in Docket A-090485.

DATED at Olympia, Washington and effective July 2, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID PRATT
Assistant Director for Transportation Safety

NOTICE: This is an order delegated to the Secretary, or 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.