

June 10, 2009

18669.0101

VIA EMAIL AND FIRST CLASS MAIL

David Danner, Executive Secretary
Washington Utilities and Transportation Commission
Attn.: Dennis Moss, Senior Administrative Law Judge
P.O. Box 47250
1300 S. Evergreen Park Dr. SW
Olympia, WA 98504-7250

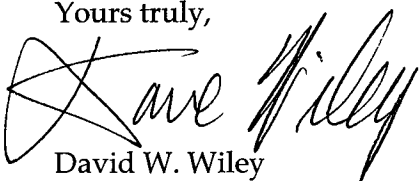
Re: TS-090424, San Juan Express, Inc.; Late-Filed Addition to Exhibit DB-1, BC--117

Dear Judge Moss:

During the course of yesterday's hearing, you requested that I supplement the DB-1 Exhibit to include the recent administrative action whereby the Rosario portion of the subject Certificate was voluntarily relinquished by the Petitioner. Thus, I now enclose a copy of the Commission's Order from May 6, 2009 which implemented that change, with Appendix A of the Order appearing to reflect the most current version of the Certificate.

Please contact me if you should have any questions on this filing. We appreciate your attention to this matter in incorporating the additional Order into the hearing record in supplement to Exhibit DB-1.

Yours truly,



David W. Wiley
Attorney at Law
(206) 233-2895
dwwiley@williamskastner.com

Encl.

cc: Jonathan Thompson, Assistant Attorney General
San Juan Express, Inc.

Williams, Kastner & Gibbs PLLC
Two Union Square
601 Union Street, Suite 4100
Seattle, Washington 98101
main 206.628.6600 fax 206.628.6611
www.williamskastner.com
SEATTLE . TACOMA . PORTLAND

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In re Certificate of Public Convenience)	DOCKET TS-090592
and Necessity No. BC-117 held by:)	
)	ORDER 01
SAN JUAN EXPRESS, INC., d/b/a)	
SAN JUAN EXPRESS; CLIPPER)	
TOURS)	ORDER AUTHORIZING PARTIAL
)	CANCELLATION OF
)	CERTIFICATE
.....)	

1 San Juan Express, Inc., d/b/a San Juan Express; Clipper Tours, (San Juan Express) holds Certificate of Public Convenience and Necessity No. BC-117, authorizing commercial ferry service between Seattle, Port Townsend, Orcas Island, Friday Harbor, Rosario and Roche Harbor, Washington, and passenger ferry service between Seattle and La Conner, Washington.

2 On April 24, 2009, San Juan Express filed a petition in this docket with the Washington Utilities and Transportation Commission (Commission) requesting permission to voluntarily relinquish authority under its certificate to serve the route between Friday Harbor on San Juan Island, and Rosario on Orcas Island.¹

3 San Juan Express states in its letter that is has requested on several occasions a temporary suspension of service between Friday Harbor and Rosario and that it does not foresee a need to resume service on that portion of its certificate.

4 After reviewing San Juan Express' request, the Commission finds that the company should be allowed to cancel that portion of its certificate authorizing service between Friday Harbor and Rosario.

¹ San Juan Express made the same request in a letter filed on April 9, 2009, in a separate docket. As that docket, TS-090424, concerns the company's request to temporarily discontinue service to Friday Harbor, the Commission requested the company file a separate letter to allow the Commission to address the request to relinquish a portion of the company's permit in a different docket.

ORDER

- 5 **THE COMMISSION ORDERS** That the portion of Certificate of Public Convenience and Necessity No. BC-117, held by San Juan Express, Inc., d/b/a San Juan Express; Clipper Tours, authorizing service between Friday Harbor and Rosario, Washington, is cancelled at the company's request.
- 6 **THE COMMISSION FURTHER ORDERS** That Certificate of Public Convenience and Necessity No. BC-117 be reissued consistent with the terms of this Order, as set forth in Appendix A to the Order.

DATED at Olympia, Washington and effective May 6, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

JEFFREY D. GOLTZ, Chairman

PATRICK J. OSHIE, Commissioner

NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-07-850, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-07-870.

**APPENDIX A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 117**

PASSENGER AND FREIGHT SERVICE BETWEEN:

Seattle, Port Townsend, Orcas Island, Friday Harbor and Roche Harbor. The waiver of the ten mile restriction granted in this certificate applies only to service between Friday Harbor, Roche Harbor and Port Townsend, Washington. Stopovers will be permitted as part of properly ticketed service.

PASSENGER SERVICE BETWEEN:

Seattle and La Conner

Pursuant to RCW 47-60.010(3), the waiver of the ten mile restriction granted in this certificate is effective until May 16, 2001. This waiver shall become permanent if not appealed within thirty days after this date.