

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of

AQUA EXPRESS, LLC

Petitioner,

For Commission Permission to Temporarily
Discontinue Commercial Ferry Service

DOCKET NO. TS-070889

PETITION FOR EXCEPTION TO
WAC 480-51-130

1 COMES NOW Petitioner AQUA EXPRESS, LLC (“Petitioner”), by and through its counsel, Williams, Kastner and David W. Wiley, and for conformance of its earlier Petition for Permission to Temporarily Discontinue Commercial Ferry Service under WAC 480-51-130, brings the following Petition pursuant to WAC 480-51-010. Petitioner here seeks a 24 month rather than a 12 month extension under WAC 480-51-130 (3), due largely to Kitsap Transit’s proposed efforts to legislatively redefine the pertinent transportation benefit district to offer public support and financial stipend to the Kingston-Seattle passenger-only commercial ferry service route contained in Petitioner’s Certificate BC No. 129 to ensure its viability. Petitioner reasonably believes and therefore alleges that such efforts may require action through the 2009 legislative session.

2 Finally, Petitioner contends that granting such an exception to the rule to allow a 24 month period of time is just and reasonable and fully consistent with the public interest,

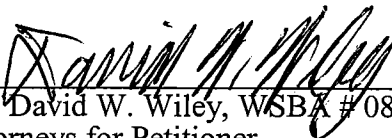
PETITION FOR EXCEPTION TO WAC 480-51-130- 1

Williams, Kastner & Gibbs PLLC
Two Union Square, Suite 4100 (98101-2380)
Mail Address: P.O. Box 21926
Seattle, Washington 98111-3926
(206) 628-6600

particularly since Petitioner will agree to semi-annual reporting to the Commission during the pendency of the 24 month discontinuance should it be granted by the Commission.

DATED this 27 day of June, 2007.

WILLIAMS, KASTNER & GIBBS PLLC

By 
David W. Wiley, WSBA # 08614
Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2007, I caused to be served the original and 10 copies of the foregoing document to the following address via first class mail, postage prepaid to:

Carole Washburn, WUTC Executive Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250

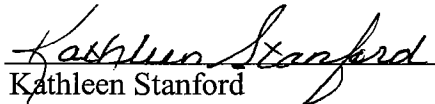
I certify I have also provided to the Washington Utilities and Transportation Commission's Secretary an official electronic file containing the foregoing document via email to:
records@wutc.wa.gov

and an electronic copy via email and first class mail, postage prepaid, to:

Adam E. Torem
Administrative Law Judge
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250
atorem@utc.wa.gov

Donald Trotter
Assistant Attorney General
1400 S. Evergreen Park Drive SW
P.O. Box 40128
Olympia, WA 98504-0128
DTrotter@utc.wa.gov

Richard M. Hayes
Executive Director
Kitsap Transit
60 Washington Avenue, Suite 200
Bremerton, WA 98337
ktexecutive@kitsaptransit.com


Kathleen Stanford

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Williams, Kastner & Gibbs PLLC
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(206) 628-6600