

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of

BACKCOUNTRY TRAVELS LLC

For a Certificate of Public Convenience
and Necessity to Operate Vessels in
Furnishing Passenger Ferry Service

DOCKET TS-180677

NOTICE OF PREHEARING
CONFERENCE
**(Set for November 19, 2018,
at 1:30 p.m.)**

- 1 On August 10, 2018, Backcountry Travels (Backcountry or Company) filed with the Washington Utilities and Transportation Commission (Commission) an Application for Commercial Ferry Certificate (Application) in accordance with RCW 81.84.
- 2 On September 14, 2018, the Commission issued a Notice of Application, which allowed thirty days to protest the Application. On October 8, 2018, Lake Chelan Recreation, Inc. d/b/a Lake Chelan Boat Company/Lady of the Lake filed a protest.
- 3 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Titles 80 and 81, and has legal authority to regulate persons seeking to furnish commercial ferry service under chapter 81.84 RCW and WAC 480-51, including but not limited to RCW 81.84.010, and RCW 81.84.020. The statutes that apply to this matter include RCW 80.01, RCW 81.04, RCW 81.84, including but not limited to RCW 80.01.040, RCW 81.04.020, and RCW 81.84.020. The rules that apply to this matter include those within WAC 480-51, relating to commercial ferries.
- 4 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.
- 5 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 1:30 p.m., on Monday, November 19, 2018, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

6 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence, to identify the issues in the proceeding, and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

7 **INTERVENTION:** Persons seeking to intervene in the proceeding must file written petitions to intervene at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). In addition, party representatives must file notices of appearance with the Commission, as required by WAC 480-07-345(2), no later than the day before the conference. If any party or witness needs an interpreter or other assistance, they should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for the evidentiary hearings at the prehearing conference or by later written notice.

8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

9 The names and mailing addresses of all known parties and their known representatives are as follows:

Applicant: Backcountry Travels LLC
PO Box 308
Stehekin, WA 98852
(509) 931-1603
colter@backcountrytravels.com

Protestant: Lake Chelan Recreation, Inc.
d/b/a Lake Chelan Boat Company/Lady of the Lake
Jack Raines, President
PO Box 186
Chelan, WA 98816
(509) 682-4584
cindy@ladyofthelake.com

Commission: Washington Utilities and Transportation
Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Commission Staff: Jeff Roberson
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1188
jeff.roberson@utc.wa.gov

- 10 Administrative Law Judge Andrew O'Connell, from the Commission's Administrative Law Division, will preside during this proceeding.
- 11 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective November 5, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Mark L. Johnson, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____