

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

Regarding suspension/cancellation of ) DOCKET TE- 050282  
excursion service carrier certificate for )  
failure to file proof of liability and property ) Order Suspending/Canceling  
damage insurance covering equipment. ) Certificate No. ES-171  
)  
) ROSZELL R. SMITH  
..... )

BACKGROUND

- 1 Washington State law requires excursion service carriers operating in the state of Washington subject to regulation by the Washington Utilities and Transportation Commission (commission) to file and maintain proof of liability and property damage insurance.
- 2 On December 21, 2006 the commission notified you by letter that your certificate to operate as an excursion service carrier in Washington State would be suspended if acceptable proof of insurance (Form E) was not filed by your insurance company within 60 days. We also told you that you could contest suspension of your certificate by requesting a hearing within 10 days of the notice.
- 3 We have not received proof of insurance and you did not request a hearing.

FINDINGS AND CONCLUSION

- 4 The Washington Utilities and Transportation Commission is an agency of the state of Washington having authority to regulate excursion service carriers as defined in RCW 81.68.
- 5 Roszell R. Smity is an excursion service carrier operating in Washington State under certificate no. ES-171.
- 6 On December 21, 2006, the commission received notice of insurance cancellation related to the named carrier effective February 1, 2007
- 7 The commission is authorized by WAC 480-30-171(1)(a) to suspend an excursion service carrier certificate for failure to file and maintain proof of insurance.
- 8 The commission is authorized by WAC 480-30-171(2)(c) to cancel an excursion service carriers certificate for failure to correct conditions leading to suspension within the time defined in the order of suspension.

ORDER

- 9 The commission suspends certificate no. ES-171 for a period of 30 days effective February 1, 2007.
- 10 You are directed to cease all operations associated with this certificate until the commission receives proof of liability and property damage insurance and enters an order lifting the suspension and authorizes you to resume operations.
- 11 If proof of insurance is not filed within 30 days certificate no. ES-171 will be cancelled without further notice or order. To reinstate this certificate you must submit a new application and acceptable proof of insurance.
- 12 You may contest cancellation of this certificate by requesting a hearing within 10 days of service of this order. A hearing request does not affect the suspension status of your certificate.

DATED at Olympia, Washington and effective February 1, 2007.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN  
Executive Secretary