

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper
Carrier Classification of, and Complaint
for Penalties against:

EXOTOURS, LLC D/B/A EXOBUS

DOCKET TE-180826

SUBPOENA

AND

SUBPOENA DUCES TECUM FOR
PRODUCTION OF DOCUMENTS

The State of Washington to Exotours, LLC d/b/a Exobus:

You are commanded to appear before the Washington Utilities and Transportation Commission at the special proceeding referenced in the attached Order and Notice of Hearing at 9 a.m., on November 14, 2018, in Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250, and to remain there until discharged by the Commission, to give testimony and evidence under oath as to the operations of Exotours, LLC d/b/a Exobus. Benjamin Luca and/or Diana Niemann shall appear at the time and place set forth above unless the Executive Director and Secretary of the Commission, by notice of hearing, specifies a different time and place. This is ordered pursuant to the subpoena powers granted in RCW 34.05.446, RCW 80.01.060(1) and RCW 81.04.510.

You are further commanded to bring with you the following documents:

If you seek to avoid further enforcement action by ceasing unpermitted operations and leaving the industry, you must bring sufficient documentation or records to demonstrate closure of your charter party and excursion service carrier business. In the case of those whose entire business involves charter party and excursion services, those papers might include documentation from (1) the Secretary of State’s office for dissolution of your business; (2) the Department of Licensing for cancellation of your business license; (3) your Internet service provider (or equivalent) showing cancellation of a website or email account; (4) your telephone provider showing cancellation of your corporate telephone number; (5) proof of cancellation of your company advertising; and (6) sales receipts for any company equipment sold in the process of shutting down and closing. For those companies who will continue with a business but only close that portion involving charter party and excursion services, similar documentation (*e.g.*, changed website or advertising) will prove most helpful to the presiding officer. Should you choose to apply for a charter party and excursion service carrier certificate in

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advance of the hearing, and the Commission deems you eligible to receive a temporary permit, you may present that information at the hearing.

In lieu of producing these documents at the proceeding, you may mail a copy of the subpoenaed documents to Jason Hoxit, Compliance Investigator, Consumer Protection, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, Washington 98504-7250, together with your certification that the items produced are true and correct copies of the subpoenaed documents. If you choose to produce the subpoenaed documents by mailing them rather than producing them at the proceeding, you must still appear at the proceeding and the subpoenaed documents must be received at the Commission before the proceeding or you will not have complied with this subpoena.

DATED at Olympia, Washington, and effective October 12, 2018.

RAYNE PEARSON
Administrative Law Judge
Director, Administrative Law Division