

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

In the Matter of the Petition of)	DOCKET TE-082209
)	
Monroe Transportation, Ltd., d/b/a)	ORDER 01
Chinook Charter Service,)	
)	
Petitioner,)	
)	ORDER GRANTING
Seeking Temporary Exemption from)	TEMPORARY EXEMPTION
the Provisions of WAC 480-30-071)	FROM WAC 480-30-071
Relating to Reporting Requirements)	
.....)	

BACKGROUND

- 1 On December 9, 2008, Monroe Transportation, Ltd., d/b/a Chinook Charter Service, (Monroe Transportation or Petitioner) filed a petition requesting temporary exemption from WAC 480-30-071.

- 2 WAC 480-30-071 requires charter and excursion carriers to file an annual safety report with the Commission by December 31, summarizing the carriers' motor vehicle and safety operating information.

- 3 Monroe Transportation states that the owners/operators will be out of town the last of December 2008, and will not be available to complete the report, including providing accurate 2008 mileage until after December 31.

- 4 Commission Staff reviewed the request and recommended granting Monroe Transportation's request for temporary exemption of WAC 480-30-071, subject to the following conditions: The Petitioner must file the annual safety report by February 1, 2009, and pay regulatory fees by December 31, 2008. Monroe Transportation must file the report earlier if completed.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, services, facilities, and practices of all persons engaging in the transportation by whatever means of persons or property within this state for compensation, and related

activities; including charter and excursion service companies. *RCW 81.01.010, Chapter 81.04 RCW, and Chapter 81.70 RCW.*

- 6 (2) Monroe Transportation is engaged in the business of providing passenger charter services within the state of Washington and is a public service company subject to the jurisdiction of the Commission under the provisions of Chapter 81.70 RCW.
- 7 (3) Monroe Transportation is subject to the provisions of WAC 480-30-071, requiring charter and excursion carriers to file an annual safety report with the Commission by December 31, summarizing the carriers' motor vehicle and safety operating information.
- 8 (4) WAC 480-30-046 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-30 WAC, if consistent with the standards and according to the procedures set forth in WAC 480-07-110.
- 9 (5) After review of the petition filed in Docket TE-082209 by Monroe Transportation on December 9, 2008, and giving due consideration, the Commission finds that the temporary exemption is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 10 (1) After the effective date of this Order, Monroe Transportation is granted a temporary exemption from WAC 480-30-071 (2), which requires charter and excursion carriers to file an annual safety report with the Commission by December 31, summarizing the carriers' motor vehicle and safety operating information.
- 11 (2) This temporary exemption is subject to the following condition(s). Monroe Transportation must file the annual safety report by February 1, 2009. Monroe Transportation must file the report earlier if completed. Annual regulatory fees are due by December 31, 2008.

- 12 (3) The Commission retains jurisdiction over the subject matter and Monroe Transportation to effectuate the provisions of this Order.

The Commissioners have delegated authority to the Secretary to enter this Order pursuant to RCW 80.01.030 and WAC 480-07-904((1)(a)).

DATED at Olympia, Washington, and effective December 19, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary

NOTICE: This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least fourteen (14) days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).