

September 9, 2009

NOTICE OF RECEIPT OF PETITION FOR DECLARATORY ORDER

RE: *In re the Matter of the Petition of United States Department of Agriculture for a Declaratory Order Disclaiming Jurisdiction*, Docket TS-091353

TO ALL PARTIES AND INTERESTED PERSONS:

On August 27, 2009, the United States Department of Agriculture (USDA) Forest Service filed with the Washington Utilities and Transportation Commission (Commission) a request¹ for a formal opinion concerning proposed boat transportation on Lake Chelan that would require a special use permit from the Forest Service. The special use permit would allow Stehekin Boat Service to use National Forest docking facilities on the lake. The specific question to the Commission is whether the proposed operation is jurisdictional “commercial ferry service,” as defined in statute and rule, or “charter” service that is exempt from Commission jurisdiction. A copy of the USDA’s petition is posted on the Commission’s web site at www.utc.wa.gov/091353.

Pursuant to RCW 34.05.240 and WAC 480-07-930, the Commission gives notice of this petition to all persons required by law and such other persons as deemed appropriate. Within thirty days of receiving the petition, the Commission must either enter a declaratory order; notify the petitioner that no order will be entered; set a time by which the Commission will enter an order; or set a time for a hearing.

¹ The Commission is treating the USDA’s “request” as a petition for declaratory order.

Procedural questions regarding this matter may be addressed to Ann E. Rendahl, Administrative Law Judge, at 360-664-1144 or arendahl@utc.wa.gov.

Sincerely,

DAVID W. DANNER
Executive Director and Secretary