

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

In the matter of the cancellation of)	
private, nonprofit transportation provider)	DOCKET TN-121430
certificate NPC-1084)	
)	ORDER 02
held by:)	
)	ORDER CANCELLING
PACE VAN SERVICE,)	CERTIFICATE
)	
for failure to file proof of liability and)	
property damage insurance covering)	
equipment)	
.....)	

BACKGROUND

- 1 Private, nonprofit transportation providers operating in the state of Washington, subject to regulation by the Washington Utilities and Transportation Commission (Commission) must file and maintain proof of liability and property damage insurance with the Commission.
- 2 On August 1, 2012, the Commission notified Pace Van Service, (Pace Van Service or Company), that its certificate to operate as a private, nonprofit transportation provider in Washington would be suspended if Pace Van Service’s insurance company did not file with the Commission acceptable proof of insurance.
- 3 The Commission also informed the Company that it could contest suspension of its certificate by requesting a hearing within ten (10) days of the date the notice was served.
- 4 The Commission subsequently suspended Pace Van Service’s certificate for a period of 30 days effective August 31, 2012. In the suspension order, the Commission informed Pace Van Service that it would cancel the Company’s certificate if the Company did not file acceptable proof of insurance within the 30-day suspension period. The Commission also notified the Company it could contest cancellation of the certificate by requesting a hearing within ten (10) days of service of the suspension order. The Commission has not received proof of insurance and the Company has not requested a hearing.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington having authority to regulate private, nonprofit transportation providers as defined in RCW 81.66.
- 6 (2) Pace Van Service is a private, nonprofit transportation provide operating in Washington state under certificate NPC-1084.
- 7 (4) On August 1, 2012, the Commission received notice of insurance cancellation related to Pace Van Service effective October 8, 2012.
- 8 (5) The Commission suspended Pace Van Service effective October 8, 2012, for failure to maintain proof of liability and property damage insurance.
- 9 (6) The Commission has not received acceptable proof of liability and property damage insurance for Pace Van Service since August 1, 2012.
- 10 (7) The Commission is authorized under WAC 480-31-052(1)(a) to suspend a private, nonprofit transportation provider certificate for failure to file and maintain proof of insurance.
- 11 (8) The Commission is authorized by WAC 480-31-052(2)(c) to cancel a private, nonprofit transportation provider certificate for failure to correct conditions leading to suspension within the time defined in the suspension order.

ORDER

- 12 **THE COMMISSION ORDERS** the private, nonprofit transportation provider certificate NPC-1084, held by Pace Van Service, is cancelled effective on the service date of this Order.
- 13 The Commission has delegated authority to the Secretary to enter this Order under RCW 80.01.030 and WAC 480-07-905(4)(e).

DATED at Olympia, Washington, October 8, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID PRATT
Assistant Director for Transportation Safety

NOTICE: This is an order delegated to the Secretary, or to the Secretary's delegate, for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least 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 by issuing a notice of hearing to be held before an administrative law judge. The Commission, at its discretion, may consider your request for review in an adjudicative proceeding under RCW 34.05 Part IV, or in a brief adjudicative proceeding under RCW 34.05.482 through .494. Following hearing, the administrative law judge will enter an initial order. If you wish to seek review of the initial order, you may file a petition for administrative review under RCW 34.05.464, or if the matter is heard in a brief adjudicative proceeding, under RCW 34.05.491.

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), and WAC 480-07-905, as amended effective September 22, 2008.