

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of)	DOCKET TE-152073
)	
)	ORDER 01
)	
)	ORDER
)	EXEMPTING COMPLIANCE
Fees to be paid by Charter &)	WITH REGULATORY FEE
Excursion Carriers Under WAC 480-)	REQUIREMENTS
30-076)	
.....)	

BACKGROUND

- 1 RCW 81.70.350 requires the Washington Utilities and Transportation Commission (Commission) to collect from each charter party carrier and excursion carrier holding a certificate issued pursuant to this chapter, and from each interstate or foreign carrier subject to this chapter, an annual regulatory fee. Senate Bill 5362, which became effective July 24, 2015, changed the due date of the regulatory fee from December 31 of the previous year to May 1 of each year in which a company operates.

- 2 WAC 480-30-076 currently requires each charter and excursion carrier to pay its regulatory fee on or before December 31 of each year for the following year's operations. A rule adoption hearing is scheduled before the Commission on December 15, 2015, to change the due date from December 31 to May 1 of each year, consistent with RCW 81.70.350.

- 3 The Commission, by this Order, exempts charter party carriers and excursion carriers from compliance with WAC 480-30-076 and modifies the date by which regulatory fees must be paid from December 31, 2015, to May 1, 2016.

- 4 Under WAC 480-07-110(1) the Commission may modify the application of its rules if doing so is consistent with the public interest, the purposes underlying regulation, and applicable statutes. Here, exempting charter party carriers and excursion carriers from compliance with WAC 480-30-076 until the rule is amended in early 2016 is consistent with the applicable statute, RCW 81.70.350, consistent with the purposes underlying regulation, and consistent with the public interest.

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, rules, regulations, practices, accounts and affiliated interests of public service companies, including charter party carriers and excursion carriers.
- 6 (2) Senate Bill 5362, which became effective July 24, 2015, changed the regulatory fee due date for charter party carriers and excursion carriers from December 31 to May 1 of each year.
- 7 (3) Under WAC 480-07-110(1), the Commission may, on its own motion, modify the application of its rules if doing so is consistent with the public interest, the purposes underlying regulation, and applicable statutes.
- 8 (4) The Commission finds that granting an industry-wide exemption from WAC 480-30-076 so the annual regulatory fee due date corresponds with RCW 81.70.350 is consistent with the purposes underlying the regulation, applicable statutes, and the public interest, and should be granted.

ORDER

THE COMMISSION ORDERS:

- 9 (1) The Commission exempts charter party carriers and excursion carriers from compliance with the regulatory fee due date set forth WAC 480-30-076 for regulatory fees due for the 2015 operating year.
- 10 (2) Regulatory fees for the 2015 operating year are due by May 1, 2016.
- 11 (3) The Commission retains jurisdiction to effectuate the terms of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective November 13, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary