STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
621 Woodland Square Loop S.E. ● Lacey, Washington 98503
P.O. Box 47250 ● Olympia, Washington 98504-7250
(360) 664-1160 ● TTY 1-800-833-6384 or 711

RE: **MANDATORY APPEARANCE BEFORE ADMINISTRATIVE LAW JUDGE**
Unlawful Activity as a Charter Party or Excursion Service Carrier in Violation of RCW 81.70.260
Docket TE-260543

Dear David McClain:

It has come to the attention of the Washington Utilities and Transportation Commission (Commission) that TC Black, LLC, continues to engage in business requiring a certificate under Washington State law. Revised Code of Washington (RCW) 81.70.220(1) states that "no person may engage in the business of a charter party carrier or excursion service carrier of passengers over any public highway without first having obtained a certificate from the commission to do so or having registered as an interstate carrier."

The Commission is initiating an enforcement action against you and your company. This letter and its attachments are the Commission's formal demand that you cease operating until you obtain the required certificate for your charter party or excursion carrier service. Until you obtain that certificate, you must also stop all advertising of your company's charter party or excursion carrier service. Failure to do so may result in a serious financial penalty.

Please be aware that operating as a charter party or excursion service carrier without the required certificate is illegal and subject to a penalty of up to $5,000 per violation. The penalty for advertising charter party or excursion carrier service without a certificate is also up to $5,000 per advertisement.

As the attached documents explain, you are now **REQUIRED TO VIRTUALLY APPEAR** at a prehearing conference **on November 19, 2026, at 9:30 a.m.** The basis for the Commission's enforcement action is explained in the attached Order and the supporting Declaration of Kathryn McPherson.

If you fail to appear at the prehearing conference, you will be held in default, which means the Commission will enter an order classifying you as a charter party or excursion service carrier and imposing the maximum penalty.

As you prepare for the prehearing conference, you may find the Commission's informational handouts included in this packet to be helpful. You might also wish to review the laws and related rules governing your business. These include:

- Chapter 81.70 RCW
- Chapter 480-30 Washington Administrative Code (WAC)

These legal resources and other helpful items can be found on the Commission's website: www.utc.wa.gov. If you have any questions about the certificate application, the Commission's Licensing Services staff is available at (360) 664-1222.

If you have any questions about your obligations under the law and your mandatory appearance, please contact an attorney.

Thank you for your cooperation.

Sincerely,

Jeff Killip Digitally signed by Jeff Killip Date: 2026.09.24 15:23:02 -07'00'

JEFF KILLIP
Executive Director and Secretary

Attachments:
1) Order 01- *Order Instituting Special Proceeding; Complaint Seeking to Impose Penalties; Notice of Virtual Prehearing Conference (set for November 19, 2026, at 9:30 a.m.)*
2) Subpoena
3) Declaration of Kathryn McPherson
4) Application Packet for Charter Party and Excursion Service Carrier Certificate
5) UTC Informational Handouts
    a. Motor Carrier Overview
    b. Transportation Fact Sheet
    c. Motor Carrier Insurance Requirements
6) Pro Se Litigants Information – Representing Yourself in Proceedings before the Washington Utilities and Transportation Commission