



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

July 8, 2021

NOTICE SUSPENDING PROCEDURAL SCHEDULE

and

NOTICE REQUIRING FILING OF SETTLEMENT DOCUMENTS
(By August 5, 2021)

RE: *In the Matter of the Determining the Proper Carrier Classification of, and Complaint for Penalties Against Cascade Adventures Inc.; Cascade Adventures Baker Bus LLC, Docket TE-190086*

TO ALL PARTIES:

On March 12, 2019, the Washington Utilities and Transportation Commission (Commission) entered Order 02, Stipulated Initial Order Classifying Respondent as Charter Party or Excursion Service Carrier; Ordering Respondent to Cease and Desist; Imposing and Suspending Penalties on Condition of Future Compliance (Order 02). Order 02 imposed a \$10,000 penalty against Cascade Adventures Inc.; Cascade Adventures Baker Bus LLC, (Cascade Adventures or Company) for violations of RCW 81.70.260(1) for advertising and operating as a charter party or excursion service carrier without the required Commission certificate. The Commission suspended a \$8,500 portion of the penalty on the conditions that: (a) Cascade Adventures refrain from further operations as a charter party or excursion service carrier in the state of Washington without first obtaining the required certificate from the Commission, and (b) the Company pay the unsuspended portion of the penalty according to an agreed payment schedule.

On August 12, 2019, the Company completed payment of the unsuspended portion of the penalty.

On March 3, 2021, Commission staff (Staff) filed with the Commission a Motion to Impose Suspended Penalty (Motion) requesting the Commission impose the \$8,500 suspended penalty. In its follow-up investigation of Cascade Adventures, Staff found evidence that the

Company had continued to operate as a charter party and excursion service carrier in the state of Washington without having obtained the required certificate from the Commission.

On March 5, 2021, the Commission issued a Notice of Opportunity to Respond to Motion to Impose Suspended Penalty. On March 10, 2021, the Company responded to the Motion, arguing that it no longer operates as a charter party or excursion carrier because it has changed its business structure to a non-profit organization. On March 19, 2021, Staff filed a response requesting the Commission set this matter for prehearing conference to permit additional discovery and resolve the parties' factual dispute.

The Commission convened a virtual prehearing conference in this docket on May 7, 2021. On May 12, 2021, the Commission issued Order 03, Prehearing Conference Order (Order 03). Order 03, established a procedural schedule including, among other things, an evidentiary hearing set for August 31, 2021.

On July 8, 2021, counsel for Commission staff (Staff) contacted the presiding officer on behalf of the parties to inform the Commission that the parties have reached a settlement in principle, and request that the Commission suspend the procedural schedule to give the parties time to finalize the settlement.

The Commission finds good cause to suspend the procedural schedule. The parties must file a proposed settlement agreement or a status update of their negotiations by August 5, 2021.

THE COMMISSION GIVES NOTICE That the Commission hereby suspends the procedural schedule in this matter.

THE COMMISSION GIVES FURTHER NOTICE That the evidentiary hearing in this matter set for August 31, 2021, at 1:30 p.m. is canceled.

THE COMMISSION GIVES FURTHER NOTICE That the parties must file a proposed settlement agreement or a status update of their negotiations by 5 p.m. on August 5, 2021.

/s/ Rayne Pearson

RAYNE PEARSON

Director, Administrative Law Division