

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the matter of the cancellation of )  
charter and excursion carrier certificate ) DOCKET TE-143807  
CH-64248 held by )  
 ) ORDER 01  
Bayview Limousine Service, Inc., )  
d/b/a Bayview Limousine, ) ORDER CANCELLING  
 ) CERTIFICATE  
for failure to file annual safety report )  
..... )

**BACKGROUND**

- 1 Charter and excursion carriers regulated by the Washington Utilities and Transportation Commission (Commission) must file safety reports and pay regulatory fees annually pursuant to Washington Administrative Code (WAC) 480-30-071(2) and WAC 480-30-076(2). These rules provide that the Commission may cancel a charter and excursion carrier’s certificate for failure to file its safety report or pay its regulatory fees. In addition, WAC 480-30-171(2) authorizes the Commission to cancel a charter or excursion carrier’s certificate for cause, including failure to file an annual report or pay required fees.
  
- 2 On November 6, 2014, the Commission served Bayview Limousine, Inc., d/b/a Bayview Limousine, d/b/a Trade Name, (Bayview Limousine or Company) with a Notice of Intent to Cancel Certification as a Charter and Excursion Carrier and Opportunity to Request a Hearing for failure to file a 2013 annual safety report (Notice). The Notice informed Bayview Limousine that its certificate would be canceled without further notice unless the Company filed its delinquent annual safety report or requested a hearing to demonstrate why its certificate should not be cancelled within 30 days of the date of the date the Notice was served.
  
- 3 The Commission did not receive a request for hearing and did not receive Bayview Limousine’s 2013 annual safety report.

### FINDINGS AND CONCLUSIONS

- 4 (1) The Commission is an agency of the State of Washington with the authority to regulate charter and excursion carriers as defined in RCW 81.70.
- 5 (2) Bayview Limousine holds authority from the Commission to operate as a charter and excursion carrier under certificate CH-64248.
- 6 (3) On November 6, 2014, the Commission notified Bayview Limousine that its certificate to operate as a charter and excursion carrier would be cancelled if the Company failed to file its safety report within 30 days. The Commission also notified Bayview Limousine that it could request a hearing to contest cancellation of its certificate.
- 7 (4) Bayview Limousine has not filed its annual safety report, due May 1, 2014.
- 8 (5) Bayview Limousine did not request a hearing.
- 9 (6) Under WAC 480-30-071(2)(d), the Commission may cancel a charter and excursion carrier's certificate for failure to file its annual safety report.
- 10 (7) Under WAC 480-30-171(2), the Commission may cancel a charter and excursion carrier's certificate for cause, including failure to file an annual safety report.
- 11 (8) Bayview Limousine's failure to file its 2013 safety report constitutes cause to cancel its charter and excursion carrier certificate.

### ORDER

#### THE COMMISSION ORDERS:

- 12 (1) Certificate CH-64248 held by Bayview Limousine, Inc., d/b/a Bayview Limousine, is cancelled effective on the date this Order is served.
- 13 (2) Bayview Limousine, Inc., d/b/a Bayview Limousine is directed to **cease** all operations associated with certificate CH-64248.

*14* The Commission has delegated authority to the Secretary, or to the Secretary's delegate, to enter this Order under RCW 80.01.030, WAC 480-07-905(9).

DATED at Olympia, Washington, and effective December 29, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING  
Executive Director and Secretary

**NOTICE:** This is an order delegated to the Secretary, or 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.