

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper
Carrier Classification of, and Complaint
for Penalties Against:

NICHOLAS PAPADIMAS,
D/B/A ORION NW

DOCKET TE-210622

DECLARATION OF
MICHAEL DOTSON

I, Michael Dotson, under penalty of perjury under the laws of the state of Washington, declare as follows:

- 1 I am over 18 years of age, a citizen of the United States, a resident of the state of Washington, and competent to be a witness.
- 2 I am employed by the Washington Utilities and Transportation Commission (Commission) as a compliance investigator in the Transportation Safety Division. As a compliance investigator, my responsibilities include conducting investigations into the operations of regulated and unregulated transportation companies. As part of those duties, I investigate charter party and excursion service carriers that may be operating without the required Commission-issued certificate.
- 3 On April 26, 2017, the Commission received an application from Nicholas Papadimas, d/b/a Orion NW, (Orion NW or Company) to reinstate the Company's certificate to provide charter party and excursion carrier services in the state of Washington, which was assigned to Docket TE-170296. In the application, the Company provided UBI: 604-045-629; phone number (206) 378-5888; www.orionnw.com as its website address; manager@orionnw.com as its email address; 3719 S 253rd PL, Kent, Washington, 98032, as its mailing and physical address; indicated that Nicholas Papadimas was the owner of the Company; and identified that the Company operated two motor vehicles: a 14-passenger 2007 Ford with license plate C72129D and a 26-passenger 2010 Ford with license plate C65350J.¹
- 4 On October 8, 2020, Orion NW filed with the Commission its request to cancel certificate CH-64940, citing the economic downturn caused by the COVID-19 pandemic.² On October 9, the Commission issued a voluntary cancellation letter in Docket TE-200855, notifying Orion NW that its authority to provide charter party and excursion service was canceled and that the Company "must cease all operations associated with this certificate."³

¹ See Attachment A for a copy of the Company's application for reinstatement in Docket TE-170296.

² See Attachment B for a copy of an email requesting cancellation of certificate CH-64940 submitted by Nicholas Papadimas, dated October 8, 2020.

³ See Attachment C for a copy of the voluntary cancellation letter, dated October 9, 2020.

- 5 On August 4, 2021, I searched Commission records, which produced records showing that Orion NW is not a certificated charter party or excursion service carrier in the state of Washington.⁴
- 6 On August 4, 2021, I searched Washington Department of Revenue’s (DOR) Business Licensing Service for UBI: 604-045-629, which produced records showing that Orion NW has an active business license. The record showed Nicholas Papadimas as the governing person with an address of 3719 S 253rd PL, Kent, Washington, 98032.⁵
- 7 On August 4, 2021, I searched Washington Department of Licensing’s DRIVES application for information on a bus featured on the Company’s website.⁶ The records showed that the 26-passenger Ford bus with license plate C65350J was registered to Nicholas Papadimas d/b/a OrionNW.⁷
- 8 On August 4, 2021, I visited the Company’s website, www.orionnw.com. Under the website’s “Contact Us” tab, I requested a quote for transportation for 20 passengers from Olympia to Seattle and back on August 15, 2021.⁸ After submitting the request, the website stated, “Thank you for your inquiry!, We will get back to you within 48 hours.”⁹
- 9 On August 8, 2021, I received an email from manager@orionnw.com. The email quoted a total transportation cost of \$1,000.¹⁰
- 10 On August 12, 2021, I sent a follow-up email requesting the same trip for the date of August 26, 2021.¹⁰
- 11 On August 13, 2021, I sent a clarification follow-up email confirming that the Company was available on August 26, 2021. The Company confirmed that it was available on that date.¹⁰

⁴ See Attachment D for a copy of Commission records documenting the Company’s inactive status, captured on August 4, 2021.

⁵ See Attachment E for a copy of DOR’s Business Licensing Service, captured on August 4, 2021.

⁶ See Attachment F for a picture of the bus with license plate C65350J from the Company’s website, captured on August 4, 2021.

⁷ See Attachment G for vehicle information on the motor vehicle registered to Nicholas Papadimas d/b/a OrionNW, captured on August 4, 2021.

⁸ See Attachment H for a copy of www.orionnw.com’s “Contact Us” page, captured on August 4, 2021.

⁹ See Attachment I for a copy of www.orionnw.com’s quote confirmation page, captured on August 4, 2021.

¹⁰ See Attachment J for a copy of the email from the Company with correspondence from August 4 to August 13, 2021.

12 Based on paragraphs 3 through 11 above, Commission staff finds that Orion NW operated as a charter party or excursion service carrier in the state of Washington without first obtaining the required certificate from the Commission.

DATED this 28th day of October 2021, at Lacey, Washington.

/s/ Michael Dotson
MICHAEL DOTSON

Attachment A



1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250
Phone: 360-664-1222
Fax: 360-586-1181
TTY: 360-586-8203 or
1-800-416-5289
e-mail: Transportation@utc.wa.gov

APPLICATION FOR CHARTER AND EXCURSION CARRIER SERVICES CERTIFICATE

| | | |
|--|---|--------------------------|
| (For Official Use Only) 111 0268 232 01 | Company ID: <u>00000000</u> <u>24 064940</u> | Docket TE- <u>170296</u> |
| 111 0268 232 02 | Date Filed: <u>04/21/17</u> | Safety Inspection: |
| 111 0268 232 03 | Reg Fees: | Insurance: |
| 111 0268 | DOL: | SOS: |
| Receipt ID: <u>06170</u> | Payment ID: <u>Check # 354</u> | CH - |

\$ 325.00 includes 1st Fee

| Passenger Charter and Excursion Carrier Services <u>WAC 480-30</u> | Fee Required |
|--|-----------------|
| <input type="checkbox"/> New Authority | \$200.00 |
| <input type="checkbox"/> Transfer an existing certificate to a new owner or business structure. <ul style="list-style-type: none"> <input type="checkbox"/> If transfer, complete Attachment A. | \$200.00 |
| <input checked="" type="checkbox"/> Reinstate a previously cancelled certificate; <u>WAC-480-30-121</u> . | \$200.00 |
| Plus, | |
| <input type="checkbox"/> Regulatory Fee - In accordance with <u>RCW 81.70.350</u> "Regulatory Fees", the Commission requires Charter and Excursion companies to file reports of the number of vehicles operated by the company and pay the sum of \$25 for each vehicle operated. There is a minimum fee of \$25. | |
| Total number of vehicles to be operated <u>2</u> x \$25 per vehicle | = \$ <u>50</u> |
| Total due (\$200, plus, \$25 per vehicle) | = \$ _____ |
| <input type="checkbox"/> Name Change - <u>WAC 480-30-146</u> | \$ 35.00 |
| Application to change a company's corporate name, change a trade name, add a new trade name or change the surname of an individual owner or partner. | |
| Company Name: <u>Midwest Airlines</u> | |

SECTION 1 – APPLICANT INFORMATION

Legal Name: NICHOLAS PAPADIMAS DBA: ORION NW
The legal name must match your registration with Department of Revenue

Trade Name(s) (if any): ORION NW
Trade name(s) must be registered under your UBI number

| | | | |
|-------------------------|-----------------------|--------------------------|-------|
| Mailing Address: | | Physical Address: | |
| Street | <u>3719 S 2834 PL</u> | Street | _____ |
| City | <u>KENT</u> | City | _____ |
| State/Zip | <u>WA 98032</u> | State/Zip | _____ |

Phone Number: 206-378-5888 Fax Number: _____

UBI #: 601-045-629 E-Mail: manager.papadimas.com

Website: www.orionnw.com

Type of business structure

- Individual Partnership Corporation Other (LP, LLP, LLC)

If a Partnership, Corporation, or Other, list the name, title, and percentage of partner's share or stock distribution for major stockholders:

| <u>Name</u> | <u>Title</u> | <u>Stock Distributions or Percentage of Shares</u> |
|-------------|--------------|--|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

List other certificates or permits held with the commission: _____

USDOT # 2402790 If you don't have a USDOT #, go online at www.fmcsa.dot.gov/online-registration or contact the Washington State Patrol at 360-596-3810 for assistance.

Business Operations

Describe the type of tours/excursions you plan on providing: _____
SMALL CHARTER GROUPS FROM THE POINT A TO POINT B
CHARTERED BY TRAVEL AGENCIES, HOTELS OR
EVENT PLANNING COMPANIES, TRAVEL ETC.

SECTION 2 – EQUIPMENT

(Attach additional sheets if necessary)

| License Number | Year And Make Of Vehicle | Vehicle ID Number | Seating Capacity |
|----------------|--------------------------|-------------------|------------------|
| C72129 D | 2007 FORD | 1EDX45577DA78437 | 14 |
| C65350 J | 2010 FORD | 1EDX45577DA78437 | 26 |
| | | F | |
| | | | |

SECTION 3 – SAFETY AND OPERATIONS

In each of the categories shown below, list the person and position responsible for understanding and complying with the Federal Motor Carrier Safety Regulations (FMCSR) and Washington State laws and rules. Please refer to the WAC rules, fact sheets and publication "Your Guide to Achieving a Satisfactory Safety Rating" for assistance with requirements.

| SAFETY RESPONSIBILITIES | |
|--|---------------------------------|
| <ul style="list-style-type: none"> ▪ COMMERCIAL DRIVER'S LICENSE (CDL) STANDARDS REQUIREMENTS AND PENALTIES (Title 49, Code of Federal Regulations Part 383). If you operate commercial motor vehicles, your drivers must have a valid CDL. ▪ DRIVER QUALIFICATION REQUIREMENTS (Title 49, Code of Federal Regulations Part 391). Each of your drivers must meet minimum qualification requirements. You must maintain driver qualification files for each driver. ▪ DRIVERS HOURS OF SERVICE (Title 49, Code of Federal Regulations Part 395). Each of your drivers must maintain hours of service logs. You must maintain true and accurate hours of service records for each driver. ▪ CONTROLLED SUBSTANCE AND ALCOHOL USE AND TESTING (Title 49, Code of Federal Regulations Part 382 and Part 40). If you operate commercial motor vehicles, your drivers must be in a Controlled Substance and Alcohol Use and Testing program. You must have a alcohol and controlled substances testing program. ▪ INSPECTION, REPAIR AND MAINTENANCE (Title 49, Code of Federal Regulations Part 396). You must systematically inspect, repair and maintain all motor vehicles. ▪ SAFETY REGULATIONS, GENERAL (Title 49, Code of Federal Regulations Part 390). You must follow safety regulations. ▪ DRIVING COMMERCIAL MOTOR VEHICLES (Title 49, Code of Federal Regulations Part 392). You must follow regulations for driving commercial motor vehicles. ▪ PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION (Title 49, Code of Federal Regulations Part 393). You must maintain parts and accessories in safe condition. | |
| Name: NICHOLAS PAPANIKOLAS | Position: OWNER / MGR |

| OPERATIONAL RESPONSIBILITIES | |
|--|----------------------------------|
| List the person and position responsible for understanding and complying with the requirements of each category shown below. | |
| ANNUAL REPORTS AND REGULATORY FEES. You must file an annual safety report and pay regulatory fees by December 31 of each year. | |
| Name: NICHOLAS PAPADIMAS | Position: OWNER / MGR. |
| STATE OF WASHINGTON GENERAL LAWS, RULES AND REGULATIONS. You must comply with the regulations of local, state, and federal agencies such as, but not limited to: <u>Department of Labor and Industries</u> , <u>Department of Licensing</u> , <u>Secretary of State</u> , <u>Department of Revenue</u> , <u>Internal Revenue Service</u> and <u>Employment Security</u> . | |
| Name: NICHOLAS PAPADIMAS | Position: OWNER / MGR. |

SECTION 4 – DECLARATION OF APPLICANT

I understand that filing this application does not in itself constitute authority to operate as a passenger charter and excursion carrier.

As the applicant for a passenger charter and excursion certificate, I understand the responsibilities of a charter and excursion carrier, and I am in compliance with all local, state, and federal regulations governing business in the State of Washington.

I certify under penalty of perjury under the laws of the State of Washington that the information contained in this application is true and correct.

I certify that I am authorized to execute and file this document.

Printed name of applicant NICHOLAS PAPADIMAS

Signature of applicant 

Date 04/21/17 County, State KING, WA

Attachment B

From: [Maria Belanti](#)
To: [UTC DL Transportation](#)
Subject: Orion NW
Date: Thursday, October 8, 2020 10:30:55 PM

To whom it may concern:

I would like to request voluntary cancelation of our company's transportation certificate, # CH64940
I hope we will be able to resume services in the future, once the tourist industry recovers from the
recent pandemic.

Sincerely

Nicholas Papadimas
(206)378-5888

Sent from [Mail](#) for Windows 10

Attachment C



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

October 9, 2020

Papadimas, Nicholas
d/b/a Orion NW
3719 S. 253rd Place
Kent, WA 98032

Re: TE-200855- Voluntary Cancellation of CH064940

Dear Papadimas, Nicholas:

On October 9, 2020, Papadimas, Nicholas, d/b/a Orion NW, requested that the Washington Utilities and Transportation Commission (Commission) cancel its certificate because Papadimas, Nicholas is no longer operating due to the economic downturn associated with the COVID-19 pandemic.

Based on your request, the Commission **cancels** CH064940. Papadimas, Nicholas must **cease** all operations associated with this certificate.

Please note: You must submit an annual report for that portion of the year in which your company operated. If you have questions about annual reports, please contact annualreports@utc.wa.gov or 360-664-1157. For all other questions, please contact Licensing staff at 360-664-1222 or transportation@utc.wa.gov.

Sincerely,

 Digitally signed by
Stillwell, Suzanne (UTC)
Date: 2020.10.09
09:24:51 -0700'

Suzanne Stillwell
Licensing Services Manager

NOTICE: This action is delegated to the Secretary, or the Secretary's delegate, for decision. In addition to serving you this letter, the Commission will post on its website for at least 14 days a list of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. Email your request to Mark L. Johnson, Secretary, at records@utc.wa.gov. You may also mail your request to 621 Woodland Square Loop SE, Lacey, WA 98503 or PO Box

Respect. Professionalism. Integrity. Accountability.

47250, Olympia, WA 98504-7250. You must file a request for Commission review no later than 14 days after the date of this letter.

Attachment D

| | |
|----------------------|--|
| Title | CH064940 |
| Applicant Company | Papadimas, Nicholas |
| Company DBA | Orion NW |
| Company ID | 14,923 |
| Permit Type | CH |
| Industry Code | 232 |
| Industry Prefix | TE |
| Industry Name | Charter and Excursion Bus |
| Status | Canceled |
| Cancel Docket Number | 200855 |
| Cancel Date | 10/9/2020 |
| Applicant Name | Papadimas, Nicholas |
| Status Change Date | 10/9/2020 |
| Authority Text | Charter and Excursion Carrier Services in the state of Washington. |

Attachment E



License Information:

Entity name: PAPADIMAS, NICHOLAS
Business name: ORION NW
Entity type: [Sole Proprietor](#)
UBI #: 601-045-629
Business ID: 001
Location ID: 0004
Location: Active

Location address: 3719 S 253RD PL
KENT WA 98032-5675

Mailing address: 3719 S 253RD PL
KENT WA 98032-5675

Excise tax and reseller permit status: [Click here](#)

Endorsements

| Endorsements held at this location | License # | Count | Details | Status |
|------------------------------------|-----------|-------|---------|------------------------|
| Limousine Carrier | | | | Active |
| Limousine Vehicles | | 1 | | Active |

Governing people

Title

PAPADIMAS, NICHOLAS

Attachment F

orionnw.com/plan-your-trip

Docket Book - simple FMCSA Login Home - Licensing S... My Motor Carrier In... Pages - Companies... Permits and Insuran... Permits and Insuran...



HOME PLAN

PHOTO GALLERY



Attachment G



< Search for a driver or vehicle

Vehicle Information

| | | |
|-------------------|-------------------|---------------------------|
| VIN | Scale Weight | GVWR |
| 1FDXE4FS4ADA11153 | 5100 | Class 4 - 14,001 - 16,000 |
| Model Year | Color 1 | Gross Weight |
| 2010 | | 0 |
| Make | Color 2 | Equipment # |
| FORD | | |
| Model | Use Type | Fleet # |
| ECONOLINE | Commercial | |
| Body Style | Value Year | Value Code |
| Cutaway | 2015 | 26500.0000 |
| Current Odometer | Previous Odometer | |
| 107,300 | 0 | |

Title Information

| | | |
|----------------------------|--------------------|--------|
| Last Transaction | Last Tran Date | County |
| Vehicle Renewal Notice | 08-Jan-2020 | 17 |
| Previous Transaction | Previous Tran Date | Status |
| Regional Transit Authority | 13-Mar-2019 | Issued |
| Total Fees Paid | Months of Reg | |
| 0.00 | 12 | |
| Title # | Title Issued | |
| 1702865357 | 19-Apr-2017 | |

Registered Owner

Registered : NICHOLAS PAPADIMAS DBA ORIONNW

Mailing Address
3719 S 253RD PL KENT WA 98032-5675 Location Code: 1715

Residential Address
3719 S 253RD PL KENT WA 98032-5675 Location Code: 1715

Attachment H

https://orionnw.com/contact-us

Docket Book - simple FMCSA Login Home - Licensing S... My Motor Carrier In... Pages - Companies... Permits and Insuran... Permits and Insuran... SAFER Web - Com



HOME PLAN YOUR TRIP

CONTACT US

Drop us a line!

Name
Seth Richards

Email*
sethrichards78@outlook.com

Hello, I was planning to take a group of my employees up to Seattle for a Mariners game. I was wondering if you service Olympia? This would be a there and back situation. There's around 20 of us, maybe a few more depending. I'd love to go to the one on the 15th of August if you have availability, and if so, how much about would that run? Thanks a lot, Seth

SEND

This site is protected by reCAPTCHA and the Google Privacy Policy and Terms of Service apply.

Attachment I

Drop us a line!



Thank you for your inquiry! We will get back to you within 48 hours.

Better yet, call us, we have a real person on the other end!

We love our customers, so feel free to call with your questions during normal business hours. If it is an emergency then time doesn't matter! Go ahead and make that call.

Orion NW

Kent, WA 98032, US

Attachment J

To: sethrichards78@outlook.com <sethrichards78@outlook.com>

Subject: Re: A message from your Orion NW contact form.

That will \$ 1000 total
Thank Seth very much

Sent from my T-Mobile 4G LTE Device
Get [Outlook for Android](#)

From: Orion NW <notice@godaddy.com>

Sent: Wednesday, August 4, 2021 10:30:50 AM

To: Maria Belanti <manager@orionnw.com>

Subject: A message from your Orion NW contact form.

Orion NW has received a new message.

Name

Seth Richards

Email

sethrichards78@outlook.com

Message

Hello, I was planning to take a group of my employees up to Seattle for a Mariners game. I was wondering if you service Olympia? This would be a there and back situation. There's around 20 of us, maybe a few more depending. I'd love to go to the one on the 15th of August if you have availability, and if so, how much about would that run? Thanks a lot, Seth

Language

en-US

Reply to this email to respond.

Re: A message from your Orion NW contact form.

Maria Belanti <manager@orionnw.com>

Fri 8/13/2021 12:13 PM

To: Seth Richards <SethRichards78@outlook.com>

Yes Thank you

Sent from my T-Mobile 4G LTE Device

Get [Outlook for Android](#)

From: Seth Richards <SethRichards78@outlook.com>

Sent: Friday, August 13, 2021 12:11:28 PM

To: Maria Belanti <manager@orionnw.com>

Subject: Re: A message from your Orion NW contact form.

So would you be available on the 26th?

From: Maria Belanti <manager@orionnw.com>

Sent: Thursday, August 12, 2021 2:24 PM

To: Seth Richards <SethRichards78@outlook.com>

Subject: Re: A message from your Orion NW contact form.

Ok thank you

Sent from my T-Mobile 4G LTE Device

Get [Outlook for Android](#)

From: Seth Richards <SethRichards78@outlook.com>

Sent: Thursday, August 12, 2021 11:30:04 AM

To: Maria Belanti <manager@orionnw.com>

Subject: Re: A message from your Orion NW contact form.

That's great, we couldn't manage to get it together for the 15th, would you have an opening on the 26th for the same trip? A couple extra weeks should make it easier to get everyone on the same page.

Thanks again,

Seth

From: Maria Belanti <manager@orionnw.com>

Sent: Sunday, August 8, 2021 10:30 AM