

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

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

DUANE COGGINS  
D/B/A KOKOPELLI'S RUN

DOCKET TE-180805

DECLARATION OF  
MICHAEL TURCOTT

Michael Turcott, under penalty of perjury under the laws of the State of Washington, declares as follows:

1. I am employed by the Washington Utilities and Transportation Commission (Commission) as the Compliance Investigations Supervisor in the Consumer Protection Section. As the Compliance Investigations Supervisor, my responsibilities include conducting investigations regarding companies that provide regulated transportation services without the required authority from the Commission.
2. On October 30, 2006, Duane Coggins submitted an application for a charter and excursion service certificate. In the application, Mr. Coggins acknowledged his responsibility to comply with the laws and regulations pertaining to the charter and excursion industry.<sup>1</sup> On December 22, 2006, the Commission granted Mr. Coggins' application and issued charter and excursion certificate CH-062592.
3. On October 5, 2016, the Commission cancelled Mr. Coggins's charter and excursion service certificate for failure to submit proof of insurance. In its letter to Mr. Coggins, the Commission directed him to cease all operations associated with the certificate.<sup>2</sup>
4. On August 15, 2017, Commission staff (Staff) received a tip that Mr. Coggins was continuing to operate as Kokopelli's Run. On September 19, 2017, Staff observed an advertisement on the Company's website, [www.kokopellisrun.com](http://www.kokopellisrun.com), which offered charter transportation in a vehicle that can accommodate up to 28 passengers.<sup>3</sup>
5. On September 25, 2017, Staff sent a letter to Mr. Coggins stating that Staff believed his operations required a charter and excursion certificate. The letter directed Mr.

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<sup>1</sup> See Appendix A, Application for Charter and Excursion Carrier Service Certificate, October 30, 2006, Docket TE-061674.

<sup>2</sup> See Appendix B, Cancellation Letter, October 5, 2016, Docket TE-161114.

<sup>3</sup> See Appendix C, screenshot of website advertising.

Coggins to contact the Commission by October 9, 2017, by either submitting an application or explaining why his operations did not require a certificate.<sup>4</sup>

6. On September 21, 2018, Staff observed the Facebook page of Kokopelli's Run. The Facebook cover photo depicted a large Chevrolet van and a large Ford excursion bus.<sup>5</sup> The side of the bus was marked "Kokopelli's Run" with the telephone number 509-679-4743. This is the same telephone number Mr. Coggins provided on his 2006 charter application and displayed on the Company's website and Facebook page.
7. Under the "events" tab is a link to an event called "Kokopelli's Run wine bus", which offers excursion transportation to various wineries in the Chelan, Washington area on October 27, 2018, for \$30 per passenger.<sup>6</sup>
8. On September 21, 2018, posing as a customer, staff contacted Kokopelli's Run via Facebook messenger to request availability for a group of eight for the wine run at \$30 per passenger. Kokopelli's Run replied confirming availability for eight passengers at the price stated. The message was signed "Duane."<sup>7</sup>

DATED this 3<sup>rd</sup> day of October, 2018, at Olympia, Washington.

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MICHAEL TURCOTT

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<sup>4</sup> See Appendix D, Compliance letter to Duane Coggins, September 25, 2017.

<sup>5</sup> See Appendix E, Facebook photo obtained September 21, 2018.

<sup>6</sup> See Appendix F, Facebook event screenshot obtained September 20, 2018.

<sup>7</sup> See Appendix G, Facebook messenger screenshot obtained September 21, 2018.