

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Application of
KITSAP FERRY COMPANY, LLC
d/b/a KITSAP FERRY CO

For a Temporary Certificate of Public
Convenience and Necessity to Operate
Commercial Ferry Service

DOCKET NO. TS-040794

DECLARATION OF
EUGENE K. ECKHARDT

I, EUGENE K. ECKHARDT, 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 (WUTC) as Assistant Director of the Water and Transportation Section. As part of my duties as Assistant Director, I supervise staff members of the Water and Transportation Section, communicate with companies or their agents regarding regulatory requirements, and present information to the Commissioners of the WUTC for their review and consideration.
3. On April 29, 2004, the Commission received an application from Kitsap Ferry Company, LLC, for a temporary certificate to operate passenger-only ferry service between Bremerton and Seattle, Washington.

4. Bonnie Allen of the Water and Transportation Section conducted an investigation regarding the application for a temporary certificate. Ms. Allen prepared a memorandum dated May 5, 2004. The memorandum presents the results of Ms. Allen's investigation and her recommendation.
5. Her recommendation was that the Commission grant the application for a temporary commercial ferry certificate, and I concurred in that recommendation.
6. On May 6, 2004, I briefed Commissioners Richard Hemstad and Patrick Oshie on the application for a temporary certificate filed by Kitsap Ferry Company.
7. During the briefing, I presented Commissioners Hemstad and Oshie with Staff's recommendation regarding the application for temporary certificate. We specifically discussed the requirements set forth in RCW 81.84.070 and WAC 480-51-060, including whether granting the application would be necessary due to an urgent and immediate need and is otherwise consistent with the public interest.
8. Subsequent to the briefing, the Commission entered an order granting Kitsap Ferry Company's application for a temporary commercial ferry certificate.

DATED this 23rd day of June 2004 at Olympia, Washington.


EUGENE K. ECKHARDT

ATTACHMENT B