



COMMERCIAL FERRY COMPANY APPLICATION

A Commercial Ferry Company means every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers, appointed by any court whatsoever, owning, controlling, leasing, operating or managing any vessel over and up on the waters of Washington state. You may not operate as a commercial ferry company until you have been approved and receive a certificate from the commission. Commercial ferry company applications are subject to public notice and objection and may be set for hearing.

This application packet contains the following information:

- Application questionnaire to determine if you need a commercial ferry company certificate
- A list of important definitions
- Checklist for a completed application
- Application forms
- Blank statement of support
- [WAC 480-51](#) – Rules Relating to Commercial Ferries
- A blank form and instructions for submitting a certificated commercial ferry tariff
- A blank form and instructions for submitting a time schedule

Insurance Requirements

Prior to the commission issuing a certificate, the applicant must file evidence of currently effective liability and property damage insurance or a surety bond. The insurance must cover each vessel to be used under the certificate. Coverage shall be for not less than the following amounts:

For any recovery for personal injury by one person, and	\$100,000
For all persons receiving personal injury and property damage by reason of one attach of negligence, and	\$1,000,000
For damage to property of any persons that the insurance, or	\$50,000
Combined bodily injury and property damage insurance.	\$1,000,000

FILING YOUR APPLICATION

The commission has a policy of providing equal access to its services. If you need special accommodations, please call 360-664-1243 or The Washington Relay Service at 7-1-1 or 1-800-833-8384.

Select one of the following:

Scan/PDF your application to efileapp.utc.wa.gov and pay online at payments.utc.wa.gov, or,

Mail your application **with** your check or money order to the following address:

UTC, PO Box 47250, Olympia, WA 98504-7250

ACH online (no service fee) or credit card online at payments.utc.wa.gov (2.5% or minimum of \$3.95 is charged by Official Payments for credit card processing).

DO NOT EMAIL YOUR CREDIT CARD INFORMATION

QUESTIONNAIRE – WHO MUST APPLY FOR A COMMERCIAL FERRY CERTIFICATE

YES NO

- 1) In operating your vessel, will you transport persons or property for hire on the waterways of the state of Washington?

If you answered "no" to Question 1 and your operation is solely as a private carrier - involving transportation of only those commodities owned, bought or sold by you – then you do not need a certificate from the Commission.

- 2) Do you operate solely as a charter service? (See definition page following)
 3) Do you operate solely passenger-carrying vessels that depart and return to the point of origin without stopping at another location within the state where passengers leave the vessel?
 4) Are you a not-for-profit or governmental entity that operates solely replicas of historical vessels or vessels recognized as national historical landmarks?
 5) Do you operate solely a towboat, tug, scow, barge, or lighter?
 6) Do you operate solely a rowboat/sailboat under 20 gross tons burden?
 7) Do you operate solely an open steam launch of 5 tons gross or under?
 8) Do you operate solely a gas, fluid, naphtha, or electric motor propelled vessel under 5 tons gross?

If you answered "yes" to any of Questions 2-8, you do not need a certificate from the commission.

- 9) Does ten percent (10%) of the gross annual income of any of your vessels come from the transportation of passengers and/or vehicles?

If you answered "no" to Question 9, you do not need a certificate from the commission. NOTE: You may still need to be registered with the commission as a common carrier ferry. Refer to [WAC 480-51-077](#)

- 10) Do you operate solely as an excursion service (see definition page following) meeting the following?
- a. Originates and primarily operates at least six months per year in San Juan County waters *and* uses vessels less than sixty-five feet (65') in length with a United States Coast Guard certificate that limits you to forty-nine (49) passengers or less.
 - b. Does not depart from the point of origin on a regular schedule.
 - c. Does not operate between the same point of origin and the same intermediate stop more than four times in any month or more than 15 times during any 12-month period.
 - d. Uses vessels that do not return to the point of origin on the day of departure.
 - e. Operates vessels upon the waters of the Pend Oreille River, Pend Oreille County, Washington.

If you operate solely as an excursion service and answered "yes" to any of Questions 10a - 10e, you do not need a certificate from the commission.

- 11) Do you operate a vessel for hire and at least 10% of the annual gross earnings from that vessel come from transportation of passengers and/or vehicles?

If you answered "yes" to Question 11 and "no" to questions 2 - 9 and 10a – 10e, you must have a certificate from the commission.



COMMERCIAL FERRY COMPANY APPLICATION

<i>FOR OFFICAL USE ONLY</i>			
Date Filed:	Company:	Docket #:	
111-0268	Receipt ID:	Payment ID:	Amount Paid:
111-0268-216-02			

Type of Passenger Transportation Authority Requested (check one box)	Fee Required
New Commercial Ferry Company Certificate	\$200
Extension of Existing Commercial Ferry Company Authority	
Transfer of all Commercial Ferry Authority Certificate Number:	
Transfer of a Portion of Commercial Ferry Authority Certificate Number:	
Temporary Certificate	
Lease of Commercial Ferry Certificate	
Mortgage of Commercial Ferry Certificate	
Acquisition of Control of a Commercial Ferry Certificate	
Indicate the Type of Service Applied For:	
Certificated Commercial Ferry (Including Launch Service)	
Launch Service Only	

Section 1 - BUSINESS INFORMATION

Legal Name:

Trade Name, if applicable:

Physical Address:

Mailing Address:

Telephone Number:

Email:

Fax Number:

Contact Name:



10) If this application involves a transfer or a lease of authority from an existing certificated company, you must either file a new tariff and time schedule at the same rate levels as on file, or you must adopt the current certificate holder's tariff and time schedule. To file a new tariff, use the standard tariff format attached to this application or an approved alternate format. Indicate which option you will use: Adopt File new tariff

Section 4 - FINANCIAL STATEMENT			
Complete the following or attach a balance sheet, profit and loss statement, or business plan.			
Assets		Liabilities	
Cash in Bank		Salaries/Wages Payable	
Notes Received		Accounts Payable	
Investments		Notes Payable	
Other Current Assets		Mortgages Payable	
Prepaid Expenses		Total Liabilities	
Land and Buildings		Net Worth	
Trucks and Trailers		Preferred Stock	
Office Furniture		Common Stock	
Other Equipment		Retained Earnings	
Other Assets		Capital	
TOTAL ASSETS		TOTAL LIABILITIES AND NET WORTH	

- | | | |
|---|-----------|----|
| 11) All applicants must attach separate sheets containing the following information: | Attached? | |
| a. Pro forma financial statement of operations (projections of incomes and expenses for first year operations). | Yes | No |
| b. Ridership and revenue forecasts. | Yes | No |
| c. The cost of service for the proposed operation. | Yes | No |
| d. An estimate of the cost of the assets to be used in providing service. | Yes | No |
| e. Certificate from United States Coast Guard on inspection. | Yes | No |
| f. Evidence of proper insurance as required by WAC 480-51-070 . | Yes | No |

12) If certificate is granted, the carrier will begin operations within _____ days of that grant.



Section 5 - EQUIPMENT LIST					
Describe the equipment that will be used (attach additional sheet if necessary).					
Name	Passenger Freight or Ferry Type	Power	Passenger Capacity	Freight Capacity	Owned, Leased, or Other?

Section 6 – HEARING INFORMATION	
If the commission assigns this application for a formal hearing, estimate the number of witnesses you will present and the amount of time you will need for your presentation.	
Number of witnesses:	Amount of time:
Will an attorney be representing you? No Yes	If Yes, complete the following:
Attorney's Name:	Phone Number:
Attorney's Firm:	Fax Number:
Street:	Email:
City, State, Zip:	



13) If this is a transfer application, you must:

Attached:

- | | | | | |
|----|--|-----|----|-----|
| a. | Complete attachment A. | Yes | No | N/A |
| b. | If this application is for transfer of a portion of certificated authority, attach a document clearly showing authority to be transferred and a document clearly showing the authority to be retained. | Yes | No | N/A |
| c. | The current company must submit its closing annual report. | Yes | No | N/A |

If this is an application for a temporary certificate you must:

- | | | | | |
|----|--|-----|----|-----|
| d. | Attach proof of insurance. | Yes | No | N/A |
| e. | Attach statements of support from potential customers showing immediate and urgent need for service. | Yes | No | N/A |
| f. | Attach proof that all vessels to be operated under the temporary authority have been inspected and found to be safe and seaworthy. | Yes | No | N/A |

If this is an acquisition of control of the stock, you must:

- | | | | | |
|----|---|-----|----|-----|
| g. | Attach a copy of the corporate minutes authorizing such transfer. | Yes | No | N/A |
|----|---|-----|----|-----|

Section 9 - DECLARATION OF APPLICANT

The applicant certifies they are familiar with the provisions of [RCW 81.84](#) and [WAC 480-51](#), laws and rules of the Washington Utilities and Transportation Commission, governing the operation of vessels and ferries upon the waters of the state of Washington. Applicant further certifies that vessels operated under Certificates of Public Convenience and Necessity are in no way released from the necessity of observing all Federal and State laws providing for the registration of vessels, the observance of navigation and maritime rules and regulations, and other matters subject to federal or state enactments.

Applicant affirms that its operations shall be at all times within the provisions of such acts and requests the Washington Utilities and Transportation Commission to make its order granting a Certificate of Public Convenience and Necessity as provided in [RCW 81.84](#) and [WAC 480-51](#).

The applicant swears or affirms that they have read the foregoing application and knows the contents, that the same is true of their own knowledge, except as to matters which are therein stated on information or belief, and as to those matters, they believe them to be true.

Name:	Title:
Signature:	Date:



ATTACHMENT A

Attachment for Certificated Commercial Ferry Application for Transfer

Certificate of Public Convenience and Necessity No. BC- _____ is attached and authorizes the furnishing of passenger-freight-ferry-excursion service by vessel between:

The applicant (buyer) desires to obtain all/a portion of the rights pursuant to **RCW 81.84.030** of said _____ (name that the certificate is now in) who hereby agrees to the cancellation of the said certificate as applicable and the issuance in lieu of a like certificate in the name of the applicant (buyer). Both the certificate holder and the applicant (buyer) are familiar with the provisions of **WAC 480-51-100** relating to the filing of annual reports and payment of fees on cessation of operation and jointly bind themselves to see that such rule is complied with. It is further represented by both parties that the sale or transfer applied for is not for the purpose of hindering, delaying or defrauding creditors.

Does the seller propose to transfer any properties or facilities together with the certificate? Yes No

If "Yes," the seller and the purchaser agree to jointly file an application under the provisions of **RCW 81.12** if any of the seller's physical assets necessary or useful in the performance of its duties to the public are to be transferred to the purchaser, in addition to the Certificate of Public Convenience and Necessity requested.

Has the closing annual report been submitted to the commission? Yes No

Applicant (Seller) _____

Name / Title

Date

Applicant (Buyer) _____

Name / Title

Date

