

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 1-2-18

License #/Type: Common Carrier -Seasonal - 5073

Licensee: Alaska Catamaran, LLC

Address: Alaskan Waters

DBA: Alaskan Dream

AMCO Case #: AB18-0001

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

Licensee made ownership changes and did notify this office in the proper time allowed.

New Names / Titles: David C. Allen/Member Manager

Date of Unreported Change: 10/19/2017

Your attention is directed to AS 04.11.050: Reports required of corporations

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

7013 2250 0000 9617 6573

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 1-30-18

License #/Type: Common Carrier -Seasonal - 5073

Licensee: Alaska Catamaran, LLC

Address: Alaskan Waters

DBA: Alaskan Dream

AMCO Case #: AB18-0117

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 1-5-18 you received a Notice of Violation which you have not responded to. Your attention is directed to 3AAC304525(a)(1)(B): Communication with licensees

Listed below is the original offense.

Licensee made ownership changes and did notify this office in the proper time allowed.

New Names / Titles: David C. Allen/Member Manager

Date of Unreported Change: 10/19/2017

Your attention is directed to AS 04.11.050: Reports required of corporations

Please refer all questions to alcohol.licensing@alaska.gov

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: *FRHO*

SIGNATURE:

Delivered VIA: Mail

Date:



Alaska Catamaran, L.L.C.

P. O. Box 1049

Sitka, AK 99835

Phone: (907)747-8100 Fax: (907)747-4819

February 6, 2018

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 West 7th Ave, Suite 1600
Anchorage, AK 99501

Re: Ownership Change for Alaska Catamaran, LLC

To Whom It May Concern;

Please accept this letter as official notice of the change of ownership of Alaska Catamaran, LLC.

The Notice of Change of Officials was filed with the State of Alaska on October 19, 2017. We apologize for failing to provide written notice of this change to the Alcohol Beverage Control Board within the 10 days required by AS 04.11.050. This was an oversight on our part.

Alaska Catamaran, LLC was previously owned by Robert Allen, Sr. and Betty Allen (both at 25%) and their son, David Allen (50%). In 2017, David bought out his parents. Please see the attached documentation of this change.

The liquor licenses held by this company are for vessels operating in Alaskan Waters and are as follows:

#5073 – Common Carrier – Seasonal	DBA: Alaskan Dream	AMCO Case #: AB18-0117
#5074 – Common Carrier – Seasonal	DBA: Baranof Dream	AMCO Case #: AB18-0119
#5075 – Common Carrier – Seasonal	DBA: Admiralty Dream	AMCO Case #: AB18-0120
#5492 – Common Carrier – Seasonal	DBA: Chichagof Dream	AMCO Case #: AB18-0118

Complete Transfer License Application paperwork was mailed for each of the above licenses on 2/1/18 and was delivered to the Alcohol & Marijuana Control Office at 12:27pm on 2/5/18.

A final license previously held by this company will not be renewed, as we are not currently using the facility. That is license #5075 – Common Carrier – Seasonal DBA: Windham Bay Lodge
AMCO Case #AB18-0121.

If you require anything else from us, please contact me at the phone number or email below.

Respectfully,

Susan Ginn
Senior Accountant
907-747-8100 ext. 130
sginn@allenmarine.com



Davies, Jason M (CED)

From: Susan Ginn <sginn@allenmarine.com>
Sent: Monday, February 12, 2018 10:01 AM
To: Davies, Jason M (CED)
Subject: RE: Notice of Violation responses Alaska Catamaran, LLC Lic 5074,5492,5073,5147, 5075

Hello Jason,

Unfortunately, the first Notices of Violation arrived at a very busy time for our CFO and he set them aside. He is retiring and has been training his replacement since late December, so he has been focused on that as well as preparing for an upcoming audit. He frankly forgot about the notices and they had gotten buried in a pile on his desk. When the second notices arrived, they were given to me and I immediately located the original notices and responded to AMCO the next day via email and a written letter.

We are very sorry for not only failing to report the organizational changes in October as well as failing to respond to the first Notices of Violation. If there is anything else we need to do to remedy this and get back in good standing, please let me know.

Thank you,

Susan Ginn
Senior Accountant
Allen Marine / Alaskan Dream Cruises
907-747-8100 x130

From: Davies, Jason M (CED) [mailto:jason.davies@alaska.gov]
Sent: Monday, February 12, 2018 9:12 AM
To: Susan Ginn <sginn@allenmarine.com>
Cc: CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>; Hoelscher, James C (CED) <james.hoelscher@alaska.gov>
Subject: Notice of Violation responses Alaska Catamaran, LLC Lic 5074,5492,5073,5147, 5075

To Susan Ginn,

I have received your responses for the Notice of Violations, "Failure to notify change of ownership." #AB18-0117, #AB18-0118 #AB18-0119, #AB18-0120 and #AB18-0121. On 01/30/2018 we sent out another Notice of Violation for not communicating with AMCO Enforcement with-in the 10 days of receiving you're the first Notice of Violation.

We are requesting a response as to why your company did not respond in the 10 days of receiving your first Notice of Violations. You may email me with your response, and I will place it in your files.

Regards,



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Common Carrier License

Form AB-17f: 2019/2020 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing common carrier liquor license that will expire on December 31, 2018. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Alaska Catamaran, LLC	License #:	5073
License Type:	Common Carrier - Seasonal	Statute:	AS 04.11.180(c)
Doing Business As:	Alaskan Dream		
Premises Address:	Alaskan Waters		
Local Governing Body:	None		
Community Council:	None		

Mailing Address:	PO BOX 1049		
City:	Sitka	State:	AK
		ZIP:	99835

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual **must be a licensee** who is required to be listed in and authorized to sign this application.

Contact Licensee:	David Allen	Contact Phone:	907-747-8100
Contact Email:	dallen@allenmarine.com		

Optional: If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:	Susan Ginn	Contact Phone:	907-747-8100
Contact Email:	sginn@allenmarine.com		



**Form AB-17f: 2019/2020 Common Carrier Renewal License Application****Section 2 – Entity or Community Ownership Information**

This top subsection must be completed by any licensee that is a **corporation** or **LLC**. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). This number is neither your EIN/tax ID number, nor your business license number. **You may view your entity's status or find your CBPL entity number by visiting the following site:** <https://www.commerce.alaska.gov/cbp/main/search/entities>

General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #:	82230D
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You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

This subsection must be completed by any **community** or **entity**, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a **corporation**, the following information must be completed for each **stockholder who owns 10% or more** of the stock in the corporation, and for each **president, vice-president, secretary, and managing officer**.
- If the applicant is a **limited liability organization**, the following information must be completed for each **member with an ownership interest of 10% or more**, and for each **manager**.
- If the applicant is a **partnership**, including a limited partnership, the following information must be completed for each **partner with an interest of 10% or more**, and for each **general partner**.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official:	David Allen				
Title(s):	member manager	Phone:	907-7478100	% Owned:	98
Mailing Address:	PO BOX 1049				
City:	Sitka	State:	AK	ZIP:	99835

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	





Alaska Alcoholic Beverage Control Board

Form AB-17f: 2019/2020 Common Carrier Renewal License Application

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an **individual or multiple individuals** and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate (spouse)

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

This individual is an: ☐ applicant ☐ affiliate (spouse)

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

Section 4 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:

	2017	2018
The license was regularly operated continuously throughout each year.	☐	☐
The license was regularly operated during a specific season each year.	☒	☒
The license was only operated to meet the minimum requirement of 240 total hours each calendar year. <i>If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.</i>	☐	☐
The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years. <i>If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.</i>	☐	☐

Section 5 – Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018:

	Yes	No
Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?	☒	☐
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2017 or 2018?	☐	☒

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.



**Form AB-17f: 2019/2020 Common Carrier Renewal License Application****Section 6 – USCG Inspections of Marine Vessels**

This section must be completed by any license issued to a marine vessel. Other types of common carriers should skip to Section 7.

Check a single box that describes whether this vessel was inspected and/or certified by the United States Coast Guard:

This is a US marine vessel that has been issued a Certificate of Inspection (COI) by the United States Coast Guard. ☒

This is a foreign marine vessel that has been issued a Certificate of Compliance (COC) by the United States Coast Guard. ☐

This is a vessel that does not qualify for a COI or COC but has voluntarily participated in the 5 Star Safety Rating Program and been issued a 5 Star Safety decal by the United States Coast Guard. ☐

This is an uninspected vessel that has not voluntarily participated in the 5 Star Safety Rating Program. ☐

If this vessel has received a COI, COC, or 5 Star Safety decal, please include a copy of the documentation with this application.

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business. ☐

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control (ABC) Board. ☐

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued. ☐

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

David C. Allen
Signature of licensee

Caray Brenton
Signature of Notary Public

David C. Allen
Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: June 19, 2019

Subscribed and sworn to before me this 1 day of November, 2018.

Seasonal License? ☒ Yes ☐ No

If "Yes", write your six-month operating period: 4/1-9/30

License Fee:	\$ 500.00	Application Fee:	\$ 300.00	TOTAL:	\$ 800.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					





Alaska Catamaran, L.L.C.

P. O. Box 1049

Sitka, AK 99835

Phone: (907)747-8100 Fax: (907)747-4819

Alcohol & Marijuana Control Office
550 West 7th Ave, Suite 1600
Anchorage, AK 99501

Re: NOVs Received in 2018

To Whom it May Concern;

Our company, Alaska Catamaran, LLC, received the following Notices of Violation in 2018 due to "failure to provide written notice of a change in ownership" of the company within the 10 days required by AS 04.11.050.

#5073 – Common Carrier – Seasonal	DBA: Alaskan Dream	AMCO Case #: AB18-0001
#5074 – Common Carrier – Seasonal	DBA: Baranof Dream	AMCO Case #: AB18-0003
#5075 – Common Carrier – Seasonal	DBA: Admiralty Dream	AMCO Case #: AB18-0004
#5492 – Common Carrier – Seasonal	DBA: Chichagof Dream	AMCO Case #: AB18-0002
#5147 – Common Carrier – Seasonal	DBA: Windham Bay Lodge	AMCO Case #: AB18-0005 (this license was not renewed and is no longer valid)

Unfortunately, those notices arrived at a very busy time for our former CFO, and he set them aside and forgot about them. Subsequently, we received the following NOVs for not responding within 10 days to the notices above per 3AAC304525(a)(1)(B).

#5073 – Common Carrier – Seasonal	DBA: Alaskan Dream	AMCO Case #: AB18-0117
#5074 – Common Carrier – Seasonal	DBA: Baranof Dream	AMCO Case #: AB18-0119
#5075 – Common Carrier – Seasonal	DBA: Admiralty Dream	AMCO Case #: AB18-0120
#5492 – Common Carrier – Seasonal	DBA: Chichagof Dream	AMCO Case #: AB18-0118
#5147 – Common Carrier – Seasonal	DBA: Windham Bay Lodge	AMCO Case #: AB18-0121 (this license was not renewed and is no longer valid)

We responded via letter dated February 6, 2018 and via email dated February 12, 2018 respectively.

Sincerely,

Susan Ginn
Senior Accountant - Allen Marine/Alaska Catamaran
907-747-8100 x130
sginn@allenmarine.com

