

[Service Date March 28, 2013]

March 28, 2013

**NOTICE DENYING APPLICATION FOR MITIGATION**

RE: Bayview Limousine Service, Inc., Application for Mitigation of Penalty Assessment, Docket TE-130189

TO ALL PARTIES:

On March 4, 2013, the Washington Utilities and Transportation Commission (Commission) issued and served Penalty Assessment TE-130189 against Bayview Limousine Service, Inc. (Bayview Limousine or Company) in the amount of \$900, alleging a violation of WAC 480-30-071 and WAC 480-30-076, which requires Charter and Excursion companies to file annual safety reports with the Commission by December 31 each year and pay regulatory fees annually on that date.

On March 26, 2013, Bayview Limousine filed with the Commission an untimely request for mitigation on the form provided by the Commission.<sup>1</sup> Bayview Limousine checked the box on that form indicating that the Company admits that one or more of the violations occurred for which penalties were assessed and that it believes that the penalty should be reduced.

The form, however, conditions the application for mitigation on Bayview Limousine providing a written statement of the reasons the Company believes the alleged penalty should be reduced. The Notice of Penalty Assessment further explains that the Commission has already mitigated the initial penalty amount based on factors of which the Commission is aware and that “[n]o further mitigation will be granted unless the company provides new information that is unrelated to these factors.” Bayview Limousine did not provide any information or reasons supporting its request. Accordingly, the Company has failed to state any grounds for further mitigation.

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<sup>1</sup> The penalty assessment notice required the Company to submit any request for mitigation within 15 days after receiving the notice. Commission records reflect that Bayview Limousine signed and accepted the penalty assessment on March 6, and thus the Company was required to submit its mitigation request by March 21. Because Bayview Limousine’s request is deficient on other grounds, the Commission does not address the impact of the Company’s failure to meet yet another Commission deadline.

**THE COMMISSION GIVES NOTICE That Bayview Limousine's application for mitigation is denied.**

**THE COMMISSION GIVES FURTHER NOTICE That the penalty of \$900 assessed against Bayview Limousine is due and payable to the Commission within 15 days following the service date of this Notice.**

STEVEN V. KING  
Acting Executive Director and Secretary