

MAR - 4 2013

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**NOTICE OF PENALTIES INCURRED AND DUE
FOR VIOLATIONS OF LAWS AND RULES**

PENALTY ASSESSMENT: TE-130194

PENALTY AMOUNT: \$1,800

RICHARD JOHNSON
CWA, INC.
1416 WHITEHORN ST.
FERNDALE, WA 98248

According to the Washington Utilities and Transportation Commission (Commission) records, you have committed violations of two Commission rules: (1) Washington Administrative Code (WAC) 480-30-071, which requires Charter and Excursion companies to file annual safety reports with the Commission by December 31 each year; and (2) WAC 480-30-076, which requires such companies to pay regulatory fees annually on that date. You are classified as a Charter and Excursion company. Commission records show that you did not file an annual safety report or pay annual regulatory fees by December 31, 2012.

Revised Code of Washington (RCW) 81.04.405 authorizes the Commission to assess penalties of \$100 for violations of Commission rules. Each and every such violation shall be a separate and distinct offense and, in the case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation. The Commission interprets noncompliance with WAC 480-30-071 and WAC 480-30-076 as continuing violations, giving rise to penalties of \$100 for each day a company fails to make each requisite filing after the date on which it was due.

As a result, the Commission hereby notifies you that it has assessed penalties against you in the amount of \$1,800 on the following basis:

On November 15, 2012, the Commission mailed 2012 Annual Safety Report forms and 2013 Regulatory Fee packets to Charter and Excursion companies registered in Washington state. A letter from the Commission's Assistant Director for Transportation Safety, David Pratt, instructed these companies to file annual reports and pay regulatory fees by December 31, 2012. The letter stated failure to file the annual report by December 31 would result in a penalty and possible cancellation of the company's permit to operate in Washington. Those companies wishing to request an extension to file the annual report were asked to do so prior to December 31, providing a reason for the requested extension. No extension was requested.

On January 7, 2013, the Commission issued a notice to companies that had not yet filed their annual report and paid regulatory fees, informing these companies that they were subject to enforcement action, including the assessment of penalties beginning to accrue on that date. Companies that filed their annual reports and paid regulatory fees after January 7, 2013, but on or before January 18, 2013, are subject to penalties that the Commission uses its discretion to mitigate to \$25 per

day if the company had not made these filings late in prior years. Companies that were late in prior years are subject to an additional \$25 per day for each year in which they were late up to a total of \$100 per day. For first time late-filers who filed their report after January 18, the Commission will mitigate the penalties to 50 percent of the maximum permissible amount. No further mitigation will be granted unless the company provides new information that is unrelated to these factors. Mitigation will not be granted on the basis that a company was unaware a report must be filed.

As of January 31, 2013, CWA, Inc., has failed to file its 2012 Annual Safety Report or pay its 2013 Regulatory Fees. That date is 18 business days past the January 7, 2013, notice date when penalties began to accrue, resulting in a potential penalty assessment of \$1,800 (\$100 per day times 18 days). CWA, Inc., is not a first time late-filer, having received a penalty for violations of WAC 480-30-071 in 2010. CWA, Inc., therefore, is not eligible for mitigation and is subject to the full penalty assessment of \$1,800.

Your penalty is due and payable now. If you believe the violation did not occur, you may request a hearing to contest the penalty assessment. If there is a reason for the violation that you believe should excuse you from the penalty, you may ask for mitigation (reduction) of this penalty. See RCW 81.04.405.

You have the right to present your request for review or mitigation at a hearing, but you are not required to do so. If you do, the Commission will review the evidence supporting your request in an informal hearing, called a Brief Adjudicative Proceeding, before an administrative law judge. The administrative law judge will consider your plea and notify you of his or her decision.

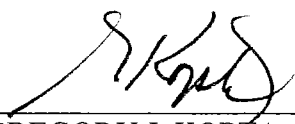
You must act within 15 days after receiving this notice to do one of the following:

- Pay the amount due;
- Request a hearing to contest the occurrence of the violations; or
- Request mitigation to contest the amount of the penalty.

Please indicate your selection on the enclosed form and send it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, **within FIFTEEN (15) days** after you receive this notice.

If you do not act within 15 days, the Commission may refer this matter to the Office of the Attorney General for collection. The Commission will then sue you to collect the penalty.

DATED at Olympia, Washington, and effective March 4, 2013.



GREGORY J. KOPTA
Administrative Law Judge

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT TE-130194

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

1. **Payment of penalty.** I admit that the violations occurred. I have:

Enclosed \$1,800 as payment of the penalty.

Submitted my payment of \$1,800 online at www.utc.wa.gov. My confirmation number is _____.

2. **Request for a hearing.** I believe that one or more of the alleged violations did not occur, based on the following information, and request a hearing, which is a process that allows an affected person to present argument to an administrative law judge for a decision by an administrative law judge:

Please note: the UTC charged my credit card for the fees associated with this report. This indicates that the UTC did not receive our report. The report + CCAED report is attached

3. **Application for mitigation.** I admit the violations, but I believe that the penalty should be reduced for the reason(s) set out below.

a) I ask for a hearing for a decision by an administrative law judge based on the information presented above.

OR b) I waive a hearing and ask for an administrative decision on the information I present directly above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing including information I have presented on any attachments, is true and correct.

Dated: 3/5/2013 [month/day/year], at Feindale, WA [city, state]

CWA, Inc
Name of Respondent (company) – please print

Richman
Signature of Applicant

RCW 9A.72.020:

“Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor’s mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony.”

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RECEIVED
UTILITY AND TRANSPORTATION COMMISSION

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1
2

CHARTER & EXCURSION CARRIERS ANNUAL SAFETY REPORT

Due December 31, 2012

M40603 / C063162
CWA, Inc.
Travel Washington Grape Line; Travel W
1416 Whitehorn St.
Ferndale, WA 98248

Correct name and address, if different than shown

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION for the YEAR ENDED DECEMBER 31, 2012

Inquiries concerning this Annual Report should be addressed to:

NAME: Richard Johnson TITLE: President
ADDRESS: 1416 Whitehorn St
CITY: Ferndale STATE: WA ZIP: 98248
TELEPHONE: 3605439369 FAX: 3603801538 E-MAIL: richard@cinporter.com

The company must notify the Commission, in writing, of any changes to the above information.

TYPE OF PAYMENT - DO NOT SEND CASH IN THE MAIL		For Commission Use Only															
<input type="checkbox"/> Check <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> AMEX <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> Discover		Credit Card Authorization #: _____															
Credit Card Number:			Exp Date - Month/Year														
3	7	1	5	5	7	9	6	3	0	2	1	0	0	1	0	4	1

CERTIFICATION: I, the undersigned, under penalty for false statement, certify that the information is true, valid and correct, that I am authorized to execute on behalf of the applicant, and that I agree to pay the above total amount according to card issuer agreement.

Name (Printed) Richard Johnson Title President
Signature [Signature] Date 1/14/12

For Commission Use Only			
Reception Number: _____	Reference: _____	Payment ID: _____	Receivable # _____
001-111-02-68-232-01: _____	001-111-02-68-232-11: _____	001-111-02-68-032-20: _____	

Original to be mailed to the Washington Utilities and Transportation Commission, PO Box 47250, Olympia, WA 98504-7250
To file online: www.utc.wa.gov

Washington Unified Business Identifier (UBI) No.: 602240445
(If you do not know your UBI No. please contact Business License Service at (800)-451-7985)

Annual Report Certification

I certify that I, Richard Johnson, the responsible account officer for CWA, Inc have examined the foregoing report; that, to the best of my knowledge, information and belief, all statements of fact contained in said report are true and said report is a correct statement of the business and affairs of the above-named respondent in respect to each and every matter set forth therein during the period from January 1, 2012, to December 31, 2012, inclusive.

Name (Printed): Richard Johnson Title: President

Signature: Richard Johnson Date: 1/14/13

Online Annual Report Certification

I acknowledge that the foregoing Annual Report has been submitted electronically; that, to the best of my knowledge, information and belief, all statements of fact contained in all attached schedules are true and said report is a correct statement of the business and affairs of the above-named respondent in respect to each and every matter set forth therein during the period from January 1, 2012, to December 31, 2012, inclusive. I agree that my name typed in lieu of my handwritten signature shall be sufficient to deem the report complete.

Authorized By:
Please Type Full Name Here

Authorized Date:
Please Type Full Date Here

1. Current insurance company: National Interstate
2. Insurance policy number: YPP-1317740-06
3. Number of recordable intrastate and interstate accidents in 2012.

(Please include the total recordable accidents for both intrastate and interstate passenger charter/excursion operations based in Washington.)

Recordable Accidents An occurrence involving a commercial vehicle on a public road in interstate or intrastate commerce that resulted in:	Intrastate	Interstate
A. A fatality.	0	0
B. An injury to a person requiring immediate treatment away from the scene of the accident.	0	0
C. Disabling damage to a vehicle, requiring it to be towed from the accident scene.	0	0
Total number of recordable accidents	0	0

4. Total operating miles for the year 2012:

Intrastate 198547 Interstate 32031

Intrastate: Trips that operate exclusively within the state of Washington.

Interstate: Trips that operate outside the state of Washington.

5. Did you provide charter bus operations for any Washington school districts during 2012?
 Yes No

Keep a copy of the completed report for your records.

CWA UTC charter report December 2012

Year	Make	Model	State	License	VIN	Unit	Seats
2000	MCI	102D3	WA	08715RP	1M8SDMPA4YP052934	383	47
1996	Prevost	H345	WA	93446PR	2PCH33495T1011590	467	56
2003	MCI	J4500	WA	B93419B	1M83JMPA23P062058	492	55
2003	MCI	J4500	WA	15992RP	1M83JMPA13P062133	495	55
2000	Glavel Frtl	Universal	WA	97860PR	1FV3HJAC11HG91067	2502	25
1997	VanHool	T800	WA	82969PR	YE2TA61B3V2040006	4917	49
1997	VanHool-T800	T800	WA	00377RP	YE2TA74B2S2O26840	4920	49
1997	VanHool-T800	T800	WA	96676PR	YE2TA74B2S2O26841	4921	49
1998	VanHool	2145	WA	64076PR	YE2TC61B5W2043131	5703	57
2000	VanHool	2145	WA	95704PR	YE2TC12B1YC2043857	5705	57
2000	VanHool	2145	WA	95705PR	YE2TC12B9Y2043878	5706	57

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
P.O. Box 47250 Olympia, WA 98504-7250

CHARTER AND EXCURSION REGULATORY FEE CALCULATION SCHEDULE

Company Name CWA, INC Regulatory fee year 2013

In accordance with RCW 81.70.350, the commission requires charter and excursion companies to file reports of the number of vehicles operated by the company in intrastate commerce at any time during the calendar year and pay the sum of \$25 annually for each vehicle operated. Every company subject to regulation shall file with the commission a statement under oath and pay to the commission a fee as calculated below.

1 Total number of vehicles used for intrastate charter or excursion operations during the year	1			11
2 Total regulatory fee due (enter amount from line 1)	2	11	x 25.00 =	\$ 275
There is a minimum fee of \$25.00				
		Agency Use Only:		001-111-02-68-232-01

Complete Lines 3 through 6 if filing after December 31

3 Penalties on regulatory fees filed after December 31	3			
3a Total penalties on regulatory fees due (enter amount from line 2)	3a	\$	x .02 (2%) =	\$
4 Interest on regulatory fees filed after December 31	4			
4a Amount from line 2 _____ x number of months past December _____ x .01 (1%) =	4a	\$		
5 Total penalties and interest due (add lines 3a and 4a)	5	\$		
		Agency Use Only:		001-111-02-68-232-11

6 Total regulatory, penalty and interest fees due (add lines 2 and 5)	6	\$ 275		
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If you have questions about calculating your regulatory fee, penalties or interest, contact Rae Lynn Carnes at (360) 664-1152 or rcarnes@utc.wa.gov.



State
Code and
Phone
Code and
Phone

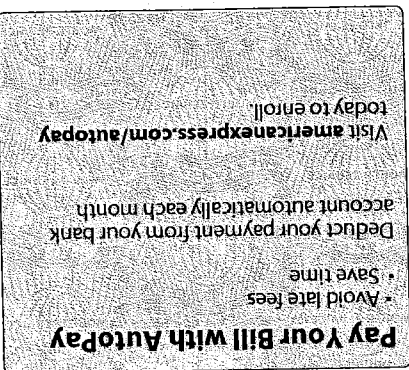
For information on how we protect your privacy and to set your communication and privacy choices, please visit www.americanexpress.com/privacy.

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- Save time

Deduct your payment from your bank account automatically each month

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Customer Care & Billing Inquiries
P.O. BOX 981535
EL PASO, TX
79998-1535
Payments
P.O. BOX 650448
DALLAS, TX
75265-0448
Mobile Site: mexmobiie.com

Customer Care
P.O. BOX 981535
EL PASO, TX
79998-1535
FAX: 1-800-695-9090
In NY: 1-800-522-1897
TTY: 1-800-221-9950

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Detail

RICHARD JOHNSON
Card Ending 0-21001

				Amount
01/21/13	POCKETINET COMMUNICAWALLA WALLA WA 5095265026		<i>6-1230 Grape</i>	\$59.00
01/22/13	UNIFORM&CAREER APPAR800-504-0328 WA UNIFORMS		<i>1-1180</i>	\$1,299.75
01/22/13	MCDONALD'S M4986 OF BURLINGTON WA 3607578952		<i>6-1100 BRL</i>	\$23.00
01/22/13	CASHNCARRY552 105525BELLINGHAM WA 360-6768166		<i>5-3920 BRL - Candy</i>	\$98.00
01/22/13	XX GOVERNMENT SERVICE		<i>cwa 5-3320</i>	
01/22/13	WUTC LICENSING SERVIOLYMPIA WA GOVERNMENT SERVICE		<i>cht 5-3320</i>	\$178.00
01/23/13	GENERAL PARTS, INC. RALEIGH NC 919-573-3483 Description FDC ECOMM AE		<i>1-1180</i>	\$161.00
01/23/13	GENERAL PARTS, INC. RALEIGH NC 919-573-3483 Description FDC ECOMM AE		<i>1-1180</i>	\$29.00

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