



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

June 17, 2015

Steven V. King, Executive Director and Secretary  
Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250  
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. IPDATASTREAM, LLC*

Commission Staff's Response to Application for Mitigation of Penalties UT-150826

Dear Mr. King:

On June 3, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-150826 against IPDATASTREAM, LLC for 10 violations of Washington Administrative Code (WAC 480-120-382), which requires telecommunications companies to furnish annual reports to the commission no later than May 1 each year.

On June 8, 2015, IPDATASTREAM, LLC wrote the commission requesting mitigation of penalties. In its mitigation request, IPDATASTREAM, LLC does not dispute the violation occurred. The company response indicated it did not receive commission staff notification of the incomplete annual report submission on May 1, 2015. The company also indicated the financial statements were attached to its online filing. IPDATASTREAM, LLC requests the penalty be reversed.

It is the company's responsibility to ensure that the regulatory fee is paid and the annual report is filed by the May 1 deadline. On February 27, 2015, Annual Report packets were mailed to all regulated telecommunications companies. The instructions for annual report completion page of the annual report informed the regulated company that it must complete the annual report form, pay the regulatory fees, and return the materials by May 1, 2015, to avoid enforcement action.

On April 30, 2015, IPDATASTREAM, LLC filed an incomplete 2014 annual report with no regulatory fees owed via online filing 2192. Commission staff emailed the company on May 1 regarding missing information on Schedule 1 and requested the company financial statements. The email address of record was used in all communications with the company, to which the company responded on June 5, 2015, after the penalty assessment had been issued. No financial statement documents were attached to the online filing. The company has been active since

UTC Annual Reports

June 17, 2015

Page 2

2011. IPDATASTREAM, LLC previously missed the deadline to file its annual report and pay any regulatory fees during the 2012 reporting year. The 2012 penalty assessment was mitigated. Staff does not support the company's request for mitigation due to the prior violation of WAC 480-120-382.

If you have any questions regarding this recommendation, please contact Amy Andrews, Regulatory Analyst, at (360) 664-1157, or [aandrews@utc.wa.gov](mailto:aandrews@utc.wa.gov).

Sincerely,



Sondra Walsh, Director  
Administrative Services