



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

July 27, 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. Pacific Carriage Limited*

Commission Staff's Response to Application for Mitigation of Penalties UT-150835

Dear Mr. King:

On June 4, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-150863 against Pacific Carriage Limited 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 July 20, 2015, Pacific Carriage Limited wrote the commission requesting mitigation of penalties. In its mitigation request, Pacific Carriage Limited does not dispute the violation occurred. The company states, "This year, the report was signed on March 6, 2015 and mailed shortly thereafter". The response also indicates regulatory functions are carried out in New Zealand which does not allow for the use of certified mail and the company is unable to locate the shipping documents.

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 July 12, 2015, Pacific Carriage Limited has filed a complete 2014 annual report with no regulatory fees owed. The company has been active since 2012 with no prior violations of WAC 480-120-382 on commission record. Staff supports the company's request for mitigation as this is the first delinquent filing. Staff recommends a reduced penalty of \$25 per day for a total penalty assessment of \$250.

Annual Reports  
July 27, 2015  
Page 2

Due to the extended time required to mail the annual report document from New Zealand to the United States, commission staff strongly recommends Pacific Carriage Limited utilize the commission's online filing system for future annual report submissions. Instructions for filing online are provided on the Instructions for Annual Report Completion (page 2) of the annual report document.

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