



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 24, 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. Vitcom, LLC*

Commission Staff's Response to Application for Mitigation of Penalties UT-150861

Dear Mr. King:

On June 5, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-150861 against Vitcom, 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 11, 2015, Vitcom, LLC wrote the commission requesting mitigation of penalties. In its mitigation request, Vitcom, LLC does not dispute the violation occurred. The company states, "We would like to request that you reconsider the penalty imposed on our company Vitcom, LLC. The penalty was imposed for not submitting the annual report before May 1, 2015. We mailed to your office (PO Box 47250, Olympia, WA 98504) on March 18, 2015. We cannot locate the confirmation at this time".

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 June 8, 2015, Vitcom, LLC filed an incomplete 2014 annual report with no regulatory fees owed. Commission staff emailed the company on June 8 and June 11 requesting Vitcom, LLC respond regarding the confidential status of online filing 2389 as the submission does not meet the requirements of WAC 480-07-160. The company has not responded. The company has been active since August 18, 2014. Staff supports the company's request for mitigation as this is the

UTC Annual Reports
June 24, 2015
Page 2

first delinquent filing. Staff recommends a reduced penalty of \$25 per day for a total penalty assessment of \$250 subject to the filing of a complete annual report.

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

Sincerely,



Sondra Walsh, Director
Administrative Services