

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TV-150931

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 \$ _____ in payment of the penalty

[] Submitted my payment of \$ _____ 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, for the reasons I describe below, and I request a hearing based on those reasons for a decision by an administrative law judge:

[X] 3. Application for mitigation. I admit the violations, but I believe that the penalty should be reduced for the reasons set out below:

Please see attached.

[] a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision

OR [X] b) I ask for a Commission decision based solely on the information I provide 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: 6/8/15 [month/day/year], at Olympia, WA [city, state]

Nowadnick & Sons, Inc. Name of Respondent (company) - please print

[Signature] 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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June 8, 2015

Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-7250

RE: Application for Mitigation

Dear Mr. Kopta,

We acknowledge that we submitted our 2014 annual report on May 13, 2015; eight business days from the due date of May 1, 2015. Erroneously, we believed the due date to be May 31, 2015. As soon as we realized that we had inadvertently missed the due date, we contacted Ms. Hancock at your agency; notifying her of the date confusion and immediately made every effort to submit the reports as quickly as possible.

Although we acknowledge inadvertently missing the deadline, our assessed penalty of \$800 is quite significant. Based on our prior consistent reporting submitted in a timely manner according to deadlines, we would like to request a reduction in this penalty. For your convenience, I have listed the reporting history below for the past three calendar years.

2011 Annual Report mailed on 4/25/12

2012 Annual Report Emailed on 4/30/13

2013 Annual Report mailed on 4/30/14

Sincerely,



Jillian Ihly
Vice President
Nowadnick & Sons, Inc.

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STATE OF WASH
UTIL. AND TRANS
COMMISSION