



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 8, 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. The Evangelical Lutheran Good Samaritan Society*

Commission Staff's Response to Application for Mitigation of Penalties TN-150989

Dear Mr. King:

On May 21, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TN-150989 against The Evangelical Lutheran Good Samaritan Society for 10 violations of Washington Administrative Code (WAC 480-30-080), which nonprofit special needs transportation provider companies to furnish annual reports to the commission no later than May 1 each year.

On May 29, 2015, The Evangelical Lutheran Good Samaritan Society wrote the commission requesting mitigation of penalties. In its mitigation request, The Evangelical Lutheran Good Samaritan Society does not dispute the violation occurred. The company states, "...the individual responsible for documenting, completing and submitting the 2014 Annual Report is no longer employed by this facility. Her termination date was April 7, 2015. It was my understanding that the 2014 Annual Report had been submitted prior to that date". The company is requesting the penalty be removed.

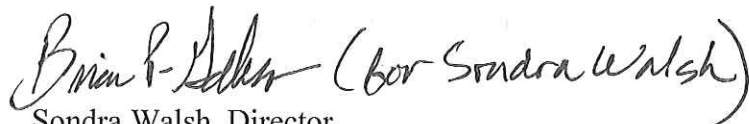
It is the company's responsibility to ensure that the regulatory fee is paid and the annual report is filed by the May 1 deadline. On February 27, 2015, Annual Report packets were mailed to all regulated nonprofit special needs transportation provider companies. The instructions for annual report completion 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.

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On May 29, 2015, The Evangelical Lutheran Good Samaritan Society filed the 2014 annual report and paid the required regulatory fees and late payment penalty. The company has been active since January 31, 2005. No prior violations of WAC 480-30-080 are on commission record. While staff does not support waiving the penalty, staff supports the company's request for mitigation as this is the company's first delinquent filing. Staff recommends a reduced penalty of \$25 per day resulting in a total penalty assessment of \$250.

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,

A handwritten signature in cursive script that reads "Sondra Walsh" followed by "(for Sondra Walsh)" in parentheses.

Sondra Walsh, Director  
Administrative Services