



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 25, 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. 2C Captains, Inc.*

Commission Staff's Response to Request for Hearing TE-150991

Dear Mr. King:

On June 8, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-150991 against 2C Captains, Inc. for 10 violations of Washington Administrative Code (WAC 480-30-071), which requires charter and excursion carriers to furnish annual reports to the commission no later than May 1 each year.

On June 10 and June 17, 2015, 2C Captains, Inc. wrote the commission requesting a hearing disputing the violation occurred. The June 10 company response states, "I did not receive the 2014 annual report forms. I will fill out a report when I receive the forms". The June 17 company response states, "To date I have received three (3) notices of a PENALTY ASSESSMENT: TE-150991 from your office all dated 08 June 2015. I filled out, signed and mailed the first one back on the day it was received. Enclosed please find the two received today, filled in, requesting a hearing (because I did not receive an Annual Report Form) and signed. Some years ago we had to get a Post Office Box because of frequent thefts from our residential mail box".

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 charter and excursion carriers. 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 23, 2015, commission staff emailed a 2014 annual report form to 2C Captains, Inc. per the hearing request. The company made no other efforts to obtain an annual report form from

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commission staff. 2C Captains, Inc. paid the required regulatory fees on December 16, 2014. No prior violations of WAC 480-30-071 are on commission record. Staff is amenable to mitigate the penalty as this is the company's first delinquent filing. Staff would recommend a reduced penalty of \$25 per day for 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.

Sincerely,



Sondra Walsh, Director
Administrative Services