



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 22, 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. Agate Pass Transportation LLC*

Commission Staff's Response to Application for Mitigation of Penalties TE-150996

Dear Mr. King:

On June 8, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-150996 against Agate Pass Transportation LLC 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 9, 2015, Agate Pass Transportation LLC wrote the commission requesting mitigation of penalties. In its mitigation request, Agate Pass Transportation states, "Agate Pass Transportation LLC has permanently closed, effective in early April". The statement continues, "Sorry the company won't be able to file any forms or pay any fines, as with insurance premiums, APT lost money every month of 2014, and have had NO income since November. There are no assets left, and thousands of dollars in unpaid bills from others. There are no employees, and as the GM, I am presently unable to respond due to my health issues".

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 household goods carrier 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.

Staff recommends the penalty against Agate Pass Transportation LLC be waived as the company's permit was cancelled under TE-144161 for lack of insurance, and the company's notification that the company is permanently closed.

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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