

**BREMERTON-KITSAP AIRPORTER, INC.**

**PO Box 1255, Port Orchard, WA 98366**

**(360) 876-1737 – Fax (360) 876-5521**

**www.kitsapairporter.com**

STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

2016 JAN -7 PM 2:27

RECEIVED  
PROJECTS MANAGEMENT

December 31, 2015

Steven V. King  
Pam Smith  
Washington Utilities and  
Transportation Commission  
P.O. Box 40128  
Olympia, WA 98504-0128

RE: Penalty Assessment TE-152319

Dear Sir and Madam,

I hereby contest the above penalty assessment for the following reasons:

- (1) I agree that a single violation did in fact occur on November 24, 2015 by Mr. Mike Resor during a destination check at SeaTac Airport. Mr. Resor acknowledged that he did not have a valid medical certificate and promptly scheduled a medical exam the very next day whereupon he then obtained his medical certificate. Although he is fully qualified to drive and is perhaps our very best and only charter driver used by this company during most of the year (employed since 4-11-2004), he has elected to take himself off the road until this matter is cleared up. I intend to again have him on the road after the New Year.
- (2) I, too was cited in October 2012 by a WSP on a motorcycle on a Port Orchard street for not wearing a seat belt while driving. I paid a fine of \$120.00 for the citation although prior to the incident, I drove frequently without benefit of seat belts? Does this mean then, that I owe another \$120.00 for each day that I drove without a seat belt? The same applies to our vehicles where registration and proof of insurance is required in the vehicle in the event the operator is stopped for an infraction. If the proof of insurance card is missing, is the BKA liable for each day of the insurance policy coverage period? Ridiculous!!
- (3) In the last two years two members of my immediate family passed on, both of whom were active in the operation of my company. On December 29, 2014 my General Manager Adrian (Butch) Oliva, employed since August 5, 1999, died in his sleep. I am personally affected by these events but I do not want this to affect the decision you must make in adjudicating this matter. We at BKA had many adjustments to make during this period and admittedly some records keeping functions fell through the cracks, but we're steadily making progress.

Sincerely,



Richard E. Asche  
President

I Enclosure

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TE-152319

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 violation occurred and enclose \$ \_\_\_\_\_ in payment of the penalty.

[X] 2. Contest the violation. I believe that the alleged violation did not occur for the reasons I describe below: 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.

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

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

OR [ ] 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: 12-31-15 [month/day/year], at DT. ORCANO, WA [city, state]

RICHARD E. ASCHS
Name of Respondent (company) - please print

Richard E. Aschs
Signature of Applicant