



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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July 1, 2016

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. Stanwood Community and Senior Center*

Commission Staff's Response to Request for Hearing of Penalties for TN-160668

Dear Mr. King:

On June 17, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TN-160668 against Stanwood Community and Senior Center for ten violations of Washington Administrative Code (WAC 480-30-080), which requires nonprofit transportation companies to furnish annual reports and the regulatory fee to the commission no later than May 1 each year, or in this case, May 2 as May 1 was a Sunday.

On June 23, 2016, Stanwood Community and Senior Center wrote the commission requesting a hearing. In its hearing request, Stanwood Community and Senior Center states, "...We have records that show this was submitted in April 2016." Additional documentation was not provided. I called the company and requested the company records that show the annual report was submitted in April. I received an email on June 28 that contained the complete annual report. The annual report was dated April 6, however, there was no indication that it was received by the commission.

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 29, 2016, Annual Report packets were mailed to all regulated nonprofit transportation companies. The instructions page informs the regulated company that it must complete the annual report form and pay the regulatory fees, and return the materials by May 2, 2016, to avoid enforcement action.

On April 12, 2016, Stanwood Community and Senior Center paid the regulatory fee. Commission staff sent three emails to the regulated company on April 18 and April 19. These

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emails advised the company that the annual report is missing. The recipients of these email include the individual that completed the 2014 annual report and the company contact on record.

On June 28, 2016 Stanwood Community and Senior Center filed a complete annual report as supporting documentation for their hearing request. Staff does not support the company's request for hearing as Commission staff did not receive an annual report prior to the May 2 deadline, no evidence was provided in support of the company's statement and staff reached out to several individuals with the company and received no response. Despite filing late, the company has no prior violations of WAC 480-30-080. 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 Sean Bennett, Regulatory Analyst, at (360) 664-1157, or sbennett@utc.wa.gov.

Sincerely,



Sondra Walsh, Director
Administrative Services