



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

July 18, 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. Customized Tours & Charter Service, LLC*

Commission Staff's Response to Application for Mitigation of Penalties TE-160693

Dear Mr. King:

On June 21, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-160693 against Customized Tours & Charter Service, LLC. for ten violations of Washington Administrative Code (WAC 480-30-071 and 480-30-076), which requires charter and excursion companies to furnish annual reports, supporting documentation 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 July 5, 2016, Customized Tours & Charter Service, LLC. wrote the commission requesting mitigation of penalties and asked for a hearing to present evidence. In its mitigation request, Customized Tours & Charter Service, LLC. does not dispute the violation occurred. The company did not provide a written statement. The company paid the full penalty of \$1,000 on July 7.

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 charter and excursion companies. The instruction page informs the regulated company that it must complete the annual report form, provide the supporting financial reporting documents and pay the regulatory fees, and return the materials by May 2, 2016, to avoid enforcement action.

On June 27, 2016, Customized Tours & Charter Service, LLC. filed the 2015 annual report and paid the regulatory fee.

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Staff does not support the company's request for hearing as commission staff did not receive a complete annual report prior to the May 2 deadline and it is the company's responsibility to file a complete and accurate annual report.

Customized Tours & Charter Service, LLC. has been active since 2003 and filed their 2007 annual report late. The penalty was paid in full. Customized Tours & Charter Service, LLC. did not provide a written statement. Due to their recent filing compliance, staff recommends a reduced penalty of \$50 per day for a total penalty assessment of \$500.

If you have any questions regarding this recommendation, please contact Sean Bennett, Regulatory Analyst, at (360) 664-1157, or [sbennett@utc.wa.gov](mailto:sbennett@utc.wa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Sondra Walsh" with some initials or a date to the right.

Sondra Walsh, Director  
Administrative Services