



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

August 2, 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. Yellow Arrow Lines, LLC*

Commission Staff's Response to Application for Mitigation of Penalties TE-160735

Dear Mr. King:

On June 22, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-160733 against Yellow Arrow Lines, 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 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 20, 2016, Yellow Arrow Lines, LLC wrote the commission requesting mitigation of penalties. In its mitigation request, Yellow Arrow Lines, LLC does not dispute the violation occurred. The company states, "... We don't believe we have violated any Washington laws or regulations, as our company was closed for business; after receiving notification from the Department of Licensing, the Washington Department of Transportation, and/or the WUTC. Our company closed for business in February of 2015 and no income or mileage was generated."

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 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.

Yellow Arrow Lines, LLC has been active since 2013 and believed that its authority was previously cancelled by the Commission. As such, Yellow Arrow Lines, LLC did not operate during 2015 and provided a "Release of Authority for Cancellation" form via email on August 1, 2016. The request for cancellation has not yet been docketed. Staff recommends the penalty be waived as the company will no longer be regulated by the commission.

UTC Annual Reports
August 2, 2016
Page 2

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