



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 • www.utc.wa.gov

November 16, 2016

NOTICE DENYING REQUEST FOR HEARING

AND

NOTICE OF OPPORTUNITY TO FILE WRITTEN RESPONSE
(By Wednesday, November 23, 2016, at 5:00 p.m.)

RE: *In the Matter of a Penalty Assessment Against Sunwest Enterprises, LLC d/b/a Sunwest Limousine in the Amount of \$4,300*
Docket TE-161144

TO ALL PARTIES:

On October 24, 2016, the Washington Utilities and Transportation Commission (Commission) assessed a penalty of \$4,300 (Penalty Assessment) against Sunwest Enterprises, LLC d/b/a Sunwest Limousine (Sunwest Limousine or Company) for 29 violations of Washington Administrative Code (WAC) 480-15-570, which adopts by reference 49 C.F.R. Part 382 related to alcohol and controlled substances testing programs; 49 C.F.R. Part 383 related to commercial driver's license requirements; 49 C.F.R. Part 387 related to liability insurance requirements; and 49 C.F.R. Part 391 related to driver qualifications.

On November 10, 2016, Sunwest Limousine filed a response to the Penalty Assessment admitting the violations and requesting a hearing. The Company did not provide any written explanation or documentation to support its request.

The Commission's Penalty Assessment advised the Company that a request for hearing will only be granted if material issues of law or fact require consideration of evidence and resolution in hearing. Because the Company admitted the violations and presented no new information, no issues of law or fact are in dispute. Accordingly, the Company's request for a hearing is denied.

We will, however, construe the Company's submission as a request for mitigation and allow the Company to provide a written response to explain how the violations occurred and why it believes the penalty should be reduced. Sunwest Limousine must file its response and any supporting documentation no later than Wednesday, November 23, 2016, by 5:00 p.m.

THE COMMISSION GIVES NOTICE That Sunwest Enterprises, LLC d/b/a Sunwest Limousine may file a written response to the Penalty Assessment by 5:00 p.m. on Wednesday, November 23, 2016.

STEVEN V. KING
Executive Director and Secretary