



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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August 11, 2015

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. North County Communications Corporation*

Commission Staff's Response to Application for Mitigation of Penalties UT-150834

Dear Mr. King:

On June 4, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-150834 against North County Communications Corporation (North County) for 10 violations of Washington Administrative Code (WAC 480-120-382), which requires telecommunications companies to furnish annual reports to the commission no later than May 1 each year.

On August 7, 2015, North County wrote the commission requesting mitigation of penalties. In its mitigation request, North County does not dispute the violation occurred. The company response states, "We sent the missing information on 4/14/15 and heard no response and assumed it was taken care of. I then emailed her on July 1<sup>st</sup>, 2015 that we received a notice and possible penalty and again asked if she had everything she needed. I just received a final notice for the penalty and want to make sure we get this taken care of. I had no idea Pam was no longer with the commission as none of my emails to her came back with an alternate contact or any type of information." The company requested full mitigation of the penalty.

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 27, 2015, Annual Report packets were mailed to all regulated telecommunications companies. The instructions for annual report completion page of the annual report informed the regulated company that it must complete the annual report form, pay the regulatory fees, and return the materials by May 1, 2015, to avoid enforcement action.

On March 26, 2015, North County filed an incomplete 2014 annual report with no regulatory fees owed. Commission staff emailed the company on March 26 to advise of the deficiency. No


response was received. Commission staff again emailed the company on April 9 and received an email response on the same day stating, "We will take a look at it and get back to you shortly". No further response was received from the company until the July 1, 2015 email indicated in the company's mitigation response. North County's response implies the departure of Ms. Pam Callea from employment with the Washington Utilities and Transportation Commission had an impact on the penalty assessment against the company. However, Ms. Callea was employed through June 30 well beyond the penalty assessment date of June 4. On July 1, 2015, North County filed a complete 2014 annual report.

North County Communications Corporation previously missed the deadline to file its annual report and pay any regulatory fees during the 2013 and 2007 reporting years. Both prior violations were paid in full.

Staff does not support the company's request for mitigation as North County has not provided any documentation showing the commission received the deficient information on April 14 and due to multiple prior violations of WAC 480-120-382. Additionally, the company failed to respond within the 15 days provided in the penalty assessment to request mitigation.

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

Sincerely,

A handwritten signature in black ink that reads "Sondra Walsh for SW". The signature is written in a cursive, flowing style.

Sondra Walsh, Director  
Administrative Services