

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment	)	DOCKET TE-151040
Against	)	
	)	ORDER 01
PARKING & TRANSPORTATION	)	
MANAGEMENT SERVICES, LLC	)	ORDER GRANTING MITIGATION
	)	TO \$250
in the amount of \$1,000	)	
.....	)	

**BACKGROUND**

- 1 Washington law requires charter and excursion carriers to file annual reports and pay regulatory fees by May 1 of each year. WAC 480-30-071. On February 27, 2015, the Washington Utilities and Transportation Commission (Commission) mailed annual report and regulatory fee packets to all charter and excursion carriers. The forms included a reminder that companies must file their annual reports and pay their regulatory fees by May 1, 2015, or face penalties of \$100 for each violation of Commission rules. In the case of continuing violations, each day's continuance is a separate violation. RCW 80.04.405.
- 2 Parking & Transportation Management Services, LLC (Parking & Transportation Management or Company) did not file its annual report on May 1, 2015, and had not made that filing by May 15. On June 10, the Commission assessed a penalty of \$1,000 against Parking & Transportation Management, calculated as \$100 per business day from May 1 to May 15.
- 3 On June 15, 2015, Parking & Transportation Management filed its annual report and paid its regulatory and late payment fees. On June 19, the Company responded to the Commission's penalty assessment, admitting the violations and requesting mitigation based on the written information provided. The Company explained that it overlooked its annual report filing requirement, and has implemented procedures to assure future filings are made by May 1.
- 4 On June 29, 2015, Commission staff (Staff) filed a response recommending a penalty reduction to \$25 per day, or \$250, because the company has no prior violations of WAC 480-30-071.

**DISCUSSION**

- 5 WAC 480-30-071 requires charter and excursion carriers to file annual reports by May 1 of each year. Companies are responsible for complying with their legal obligations, and the Company should have ensured its annual report was timely filed.
- 6 The Commission nevertheless agrees with Staff's recommendation. The Commission may consider a number of factors when entertaining a request for mitigation, including whether the violation was promptly corrected and the likelihood the violation will recur.<sup>1</sup> Here, Parking & Transportation Management has corrected the violation by filing its annual report and paying its regulatory and late payment fees. The Company has been regulated since 2014, making 2015 the first year it was required to file an annual report with the Commission. Because we have granted mitigation to similarly situated companies in their first year of operation, the Commission will exercise its discretion to reduce the penalty to \$250.

**ORDER**

**THE COMMISSION ORDERS:**

- 7 (1) Parking & Transportation Management Services, LLC's request for mitigation of the \$1,000 penalty is GRANTED in part, and the penalty is reduced to \$250.
- 8 (2) The \$250 penalty is due and payable no later than July 13, 2015.
- 9 The Secretary has been delegated authority to enter this order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Olympia, Washington, and effective July 2, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING  
Executive Director and Secretary

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<sup>1</sup> Docket A-120061, Enforcement Policy for the Washington Utilities and Transportation Commission (January 7, 2013).

**NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.**