



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

June 28, 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. Isofusion Communications, LLC*

Commission Staff's Response to Application for Mitigation of Penalties UT-160566

Dear Mr. King:

On June 14, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-160566 against Isofusion Communications, LLC for ten violations of Washington Administrative Code (WAC 480-120-382), which requires telecommunications 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 June 21, 2016, Isofusion Communications, LLC wrote the commission requesting mitigation of penalties. In its mitigation request, Isofusion Communications, LLC does not dispute the violation occurred. The company states, "...we were created by our part-time counsel along with another staff member who is no longer working here. I (Pat Sarles) had minimal involvement and completely forgot about it. When the form came, it didn't have any name on it and I put it aside. This Penalty Notice was my first clue. I would appreciate it if my employers were not penalized for a problem that was my responsibility."

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 telecommunications companies. The instructions page along with Schedule 1, Part A 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 21, 2016, Isofusion Communications, LLC. filed a complete 2015 annual report and paid the regulatory fee of \$150.

UTC Annual Reports

June 28, 2016

Page 2

Isofusion Communications, LLC has been active since 2014 and filed their 2014 annual report on time. As the company previously filed on time and is a newer company, it is staffs recommendation that the penalty be reduced to \$25 per day for a total penalty assessment of \$250.

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