



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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July 12, 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. TeleUno, Inc.*

Commission Staff's Response to Application for Mitigation of Penalties UT-160593

Dear Mr. King:

On June 14, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-160593 against TeleUno, Inc. 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 28, 2016, TeleUno, Inc. wrote the commission requesting mitigation of penalties. In its mitigation request, Teltrust Corporation. does not dispute the violation occurred. The company states, "...on April 25 and 26, TeleUno made two attempts to file the 2015 Annual Report online and pay the fee due via Visa credit card, as indicated on the website. TeleUno went through the entire online filing and report uploading process, including financial statements, and proceeded to the payment page where we were unable to make the payment. On April 27, TeleUno called the commission office to find out why payments would not be accepted via credit card. However, the report had been uploaded twice and the company thought this part of the process was complete. TeleUno was told there was a problem with the website and the only manner of paying the regulatory fee was through an ACH debit. On April 29, TeleUno paid the \$150 fee. The penalty assessment was received by email on June 16 and TeleUno immediately contacted commission staff to say that it had been filed timely in April. However, we do not have a confirmation email. A copy of the annual report was emailed to staff."

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.

Commission staff has reviewed the e-file site. No documents have been e-filed by TeleUno, Inc. When a company successfully files a document electronically they are presented with a confirmation screen which provides them with an e-file number. Additionally, a confirmation email is sent to the email address provided in the submittal. The company indicates this was not received. Unfortunately the system to process payments did experience technical difficulties. As a result, TeleUno, Inc. called commission staff to learn more about the payment issue. Companies can contact commission staff if they have any questions regarding the annual report status. Commission staff received a copy of the complete annual report via email on June 17.

TeleUno, Inc. has been active since 2001 and has never had a violation of WAC 480-120-382. Due to the company's long running compliance, staff recommends a reduced penalty of \$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](mailto:sbennett@utc.wa.gov).

Sincerely,

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

Sondra Walsh, Director  
Administrative Services