



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 6, 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. Buckley Senior Citizens, Inc.*

Commission Staff's Response to Application for Mitigation of Penalties TN-160661

Dear Mr. King:

On June 17, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TN-160661 against Buckley Senior Citizens, Inc. for ten violations of Washington Administrative Code (WAC 480-30-080), which requires nonprofit special needs transportation companies to furnish annual reports 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 24, 2016, Buckley Senior Citizens, Inc. wrote the commission requesting mitigation of penalties. In its mitigation request, Buckley Senior Citizens, Inc. does not dispute the violation occurred. The company states, "...I (Ellen Boyd) am generally tasked with filing this report, my department has been in the midst of a fairly dramatic organizational change since the beginning of April, 2016. At the beginning of April my (Ellen) hours were cut to part-time. While rearranging my office space to accommodate our full-time Activities Coordinator, I misplaced this report. While reorganizing files in June, I came across this report (which I'd completed at the beginning of March, so was thinking I'd submitted electronically), but noticed there was no receipt attached to it. With this, I submitted a \$10 payment to cover the regulatory fees, fearing that I'd submitted solely the report and not the payment."

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 nonprofit transportation companies. The instructions page informs the regulated company that it must complete the annual report form and pay the regulatory fees, and return the materials by May 2, 2016, to avoid enforcement action.

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On June 24, 2016 Buckley Senior Citizens, Inc. provided the complete annual report. Buckley Senior Citizens, Inc. has been active since 1993 and their 2012 and 2011 annual reports were filed late. Buckley Senior Citizens, Inc. paid the full penalty amounts. In consideration of their recent filing compliance, staff recommends a reduced penalty of \$50 per day for a total penalty assessment of \$500.

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