



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 31, 2017

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. Vitcom, LLC*

Commission Staff's Response to Contest Violation UT-170498

Dear Mr. King:

On June 28, 2017, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-170498 against Vitcom, LLC for 10 violations of Washington Administrative Code (WAC 480-120-382), which requires telecommunication companies to furnish annual reports and the regulatory fee to the commission no later than May 1 each year.

On July 10, 2017, Vitcom, LLC wrote the commission contesting the violation. In its request, the company states, "...at the time that we were supposed to file our annual report Vitcom LLC was inactive so we were advised not to file and wait until we will get active again. We can prove it. I guess it was a mistake and misunderstanding."

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 28, 2017, Annual Report packets were sent to all regulated telecommunication 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 1, 2017, to avoid enforcement action.

Only July 5, 2017, Vitcom, LLC filed a complete annual report and paid the regulatory fee.

There are no material issues of law or fact. Staff does not support the company's request for hearing as commission staff did not receive an annual report prior to the May 1 deadline and it is the company's responsibility to file a complete and accurate annual report. The Commission will only grant mitigation if the violations occurred due to circumstances beyond the company's control. Vitcom, LLC did not illustrate that they were unable to file their annual report and pay

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their regulatory fee due to circumstances beyond their control. Staff does not recommend mitigation nor a reduction of the penalty.

If you have any questions regarding this recommendation, please contact Sean Bennett, Regulatory Analyst, at (360) 664-1157, or sbennett@utc.wa.gov.

Sincerely,

/s/ Sean Bennett

Sean Bennett, Regulatory Analyst
Administrative Services