



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

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. Creative Bus, LLC*

Commission Staff's Response to Application for Mitigation of Penalties TE-170610

Dear Mr. King:

On June 19, 2017, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-170610 against Creative Bus, LLC for 10 violations of Washington Administrative Code (WAC 480-30-071 and 480-30-076), which requires charter and excursion companies to furnish annual reports and the regulatory fee to the commission no later than May 1 each year.

On July 10, 2017, Creative Bus, LLC wrote the commission requesting mitigation of penalties. In its mitigation request, Creative Bus, LLC does not dispute the violation occurred. The company states, "...Our apologies for the delay. We always have filed within the timeframe. This year we had family matters going on and then we were out of town month of June. If possible to reduce the fee and do payment arrangement, that would be appreciated."

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 charter and excursion 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.

The company filed their complete annual report and paid the regulatory fee on July 10, 2017.

The Commission will only grant mitigation if the violations occurred due to circumstances beyond the company's control. Creative Bus, LLC did not illustrate that they were unable to file their annual report and pay their regulatory fee due to circumstances beyond their control, and typically, mitigation would not be recommended. Creative Bus, LLC took over the Charter and

UTC Annual Reports

July 31, 2017

Page 2

Excursion certificate from Michael Vontrell Langdon DBA Creative Bus, LLC in 2010. Michael Vontrell Langdon filed late in 2009 and is an owner of Creative Bus, LLC. This is the first time that one of the owners filed the annual report late since 2009. In consideration of the company's recent compliance history, staff recommends that the penalty be reduced to \$500.

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,

/s/ Sean Bennett

Sean Bennett, Regulatory Analyst  
Administrative Services