



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 29, 2015

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. AmeriCatel Corporation*

Commission Staff's Response to Application for Mitigation of Penalties UT-150796

Dear Mr. King:

On June 2, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-150796 against AmeriCatel Corporation for 10 violations of Washington Administrative Code (WAC 480-120-382), which requires telecommunications companies to furnish annual reports to the commission no later than May 1 each year.

On June 18, 2015, AmeriCatel Corporation wrote the commission requesting mitigation of penalties. In its mitigation request, AmeriCatel Corporation does not dispute the violation occurred. The company states, "The companies did an internal reorganization and merged all telecom operations into Matrix Telecom, including the various customer bases. 100% of AmeriCatel's 2014 telecommunication revenues were reported under Matrix's 2014 annual report filed on 4/27/2015".

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 27, 2015, Annual Report packets were mailed to all regulated telecommunications companies. The instructions for annual report completion page of the annual report informed the regulated company that it must complete the annual report form, pay the regulatory fees, and return the materials by May 1, 2015, to avoid enforcement action.

On June 15, 2015, AmeriCatel Corporation filed a complete 2014 annual report with no regulatory fees owed. No prior violations of WAC 480-120-382 are on commission record. AmeriCatel Corporation did file notice of transfer on December 11, 2014 on Docket UT-144080. The company did not file notice to cease operations in Washington until June 10, 2015 under Docket UT-151207. As the company reported the required information under Matrix Telecom

UTC Annual Reports
June 29, 2015
Page 2

and the company filed notice to cease operations in Washington for Americatel Corporation, staff supports mitigation of the penalty. Staff recommends the penalty be waived as Americatel Corporation is no longer operating in Washington.

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

Sincerely,



Sondra Walsh, Director
Administrative Services