



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 26, 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. The Piano & Organ Moving Co., Inc.*

Commission Staff's Response to Application for Mitigation of Penalties TV-150943

Dear Mr. King:

On June 1, 2015, the Utilities and Transportation Commission issued a \$100 Penalty Assessment in Docket TV-150943 against The Piano & Organ Moving Co., Inc. for 1 violation of Washington Administrative Code (WAC) 480-15-480 which requires household goods carrier companies to furnish annual reports to the commission no later than May 1 each year.

On June 15, 2015 The Piano & Organ Moving Co., Inc. wrote the commission requesting mitigation of penalties. In its mitigation request, The Piano & Organ Moving Co., Inc. does not dispute the violation occurred. The company's response states, "On Monday, April 27th, I dropped our annual report at the post office to be mailed. We are unsure of where the delay would have occurred in the receipt of our paperwork. Is it possible to see the postmark on the envelope showing the date it was processed by the post office?". While not related to the penalty assessment, the company stated they were unaware the credit card submitted for regulatory fee payment would be charged for the late payment penalty. The company response also indicates they are requesting the fee be waived due to previous filing compliance.

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 household goods carriers. 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.

¹See Attachment A for email communication to The Piano & Organ Moving Co., Inc.

On May 4, 2015 The Piano & Organ Moving Co., Inc. filed a complete annual report and paid the required regulatory fees and late payment penalty. Commission staff contacted the company via email on May 4, 2015 notifying the company of the late payment fee to be charged¹. No prior violations of WAC 480-15-480 are on commission record. The Piano & Organ Moving Co., Inc. bears the ultimate responsibility to ensure the annual report and regulatory fee payment are received by the commission on or before the May 1 deadline. A postmark is not accepted by the commission as the received date. While staff does not support the company's request to waive the penalty, staff does support the request for mitigation as this is the company's first delinquent filing. Staff recommends a reduced penalty of \$25 per day for a total penalty assessment of \$25.

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

ATTACHMENT A

Andrews, Amy (UTC)

From: Andrews, Amy (UTC)
Sent: Monday, May 4, 2015 9:04 AM
To: rfalkire42@gmail.com
Cc: Andrews, Amy (UTC)
Subject: 2014 Annual Report - Late Payment Fee Notification

Dear Regulated Company,

The Utilities and Transportation Commission received your 2014 annual report and payment information on May 4, 2015. Completed forms and payments were due to the commission no later than May 1. Per RCW 81.80.321 any payments received after May 1 are subject to a two percent (2%) late fee based on the regulatory fees owed.

The Piano and Organ Moving Co., Inc. reported \$327,153.85 gross intrastate revenues which calculated to \$817.88 of regulatory fees owed. Based on the fees owed, an additional \$16.36 is due for the late payment fee. Your total payment to the UTC will be \$834.24 on your credit card provided.

Please contact me if you have any questions.

Thank you,

Amy Andrews
Regulatory Analyst / Payroll Officer
(360) 664-1157
(360) 664-1289 Fax
aandrews@utc.wa.gov

Utilities and Transportation Commission
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