

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment)	DOCKET TE-151033
Against)	
)	ORDER 01
MEIXI TRAVEL, LLC)	
)	ORDER GRANTING MITIGATION
in the amount of \$1,000)	TO \$250
.....)	

BACKGROUND

- 1 Washington law requires charter and excursion carriers to file annual reports and pay regulatory fees by May 1 of each year. WAC 480-30-071. On February 27, 2015, the Washington Utilities and Transportation Commission (Commission) mailed annual report and regulatory fee packets to all charter and excursion carriers. The forms included a reminder that companies must file their annual reports and pay their regulatory fees by May 1, 2015, or face penalties of \$100 for each violation of Commission rules. In the case of continuing violations, each day’s continuance is a separate violation. RCW 80.04.405.
- 2 Meixi Travel, LLC (Meixi Travel or Company) did not file its annual report on May 1, 2015, and had not made that filing by May 15. On June 9, the Commission assessed a penalty of \$1,000 against Meixi Travel, calculated as \$100 per business day from May 1 to May 15.
- 3 On June 24, 2015, Meixi Travel filed an incomplete annual report. On June 25, the Company responded to the Commission’s penalty assessment, admitting the violations and requesting mitigation. Meixi Travel did not provide a written statement to support its request, as required.
- 4 On June 30, 2015, Commission staff (Staff) filed a response recommending the Commission deny the Company’s application for mitigation because the Company did not provide a written statement to support its request. Staff also noted that it sent an email on June 24 to notify the Company of the deficiencies in its report.

DISCUSSION

5 WAC 480-30-071 requires charter and excursion carriers to file annual reports by May 1
of each year. Companies are responsible for complying with their legal obligations, and
the Company should have ensured its complete annual report was timely filed.

6 Although Meixi Travel failed to provide a written statement in support of its request for
mitigation, we will nevertheless assess a reduced penalty. The Commission may consider
a number of factors when entertaining a request for mitigation, including whether the
violation was promptly corrected, a company's history of compliance, and the likelihood
the violation will recur.¹ Although Meixi Travel has not yet corrected the violations, Staff
contacted the Company and requested the missing information. In addition, this is the
Company's first violation of WAC 480-30-071 since it became regulated in 2011.
Although the Company has a relatively brief history of compliance, we have routinely
granted mitigation for first time violations. In light of these factors, we will reduce the
penalty to \$250 conditioned on the Company filing its complete annual report no later
than ten days from the date of this order. If the Company fails to file a complete annual
report by that date, the remaining \$750 penalty will immediately become due and payable
without further action by the Commission.

ORDER

THE COMMISSION ORDERS:

- 7 (1) Meixi Travel, LLC's request for mitigation is GRANTED, in part, and the penalty
is reduced to \$250 conditioned on Meixi Travel, LLC filing a complete annual
report no later than July 13, 2015. If Meixi Travel, LLC fails to complete its filing
by that date, the remaining \$750 penalty will become due and payable on July 14,
2015, without further action by the Commission.
- 8 (2) The \$250 penalty is due and payable no later than July 13, 2015.

¹ Docket A-120061, Enforcement Policy for the Washington Utilities and Transportation
Commission (January 7, 2013).

10 The Secretary has been delegated authority to enter this order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Olympia, Washington, and effective July 2, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.