



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 26, 2016

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. Keiko Martinez*

Commission Staff's Response to Application for Mitigation of Penalties TV-160628

Dear Mr. King:

On June 28, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TV-160628 against Keiko Martinez for 10 violations of Washington Administrative Code (WAC 480-15-480), which requires household good moving companies to furnish annual reports and the regulatory fee to the commission no later than May 1 each year, or in this case, May 2 as May 1 was a Sunday.

On July 13, 2016, Keiko Martinez wrote the commission requesting mitigation of penalties. In its mitigation request, Keiko Martinez does not dispute the violation occurred. The company states, "...I take this business very seriously and want everything in order. The packet that I got from Commission, there were not 2015 annual report forms and 2016 regulatory fee packets inside the envelope. I made copies of these paperwork that was inside of the envelope. Please consider that this is my first year of my first business. English is my second language." Keiko Martinez provided a list of 15 reports that were filed on time. Additionally, Keiko Martinez provided copies of the paperwork that granted a temporary Household Goods permit and were mailed out on February 17, 2016.

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, or in this case, May 2 as May 1 was a Sunday. On February 29, 2016, Annual Report packets were mailed to all regulated household good moving companies. The instruction page informs the regulated company that it must complete the annual report form, provide the supporting financial reporting documents and pay the regulatory fees, and return the materials by May 2, 2016, to avoid enforcement action.

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On July 13, 2016, Keiko Martinez filed a complete annual report and paid the regulatory fees owed.

Keiko Martinez became an active company in 2015 and has zero violations of WAC 480-15-480. As the company is newer and recently became a regulated company, it is staff's recommendation that the penalty be reduced to \$25 per day for a total penalty assessment of \$250.

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

Sincerely,

Sondra Walsh, Director
Administrative Services