



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

February 22, 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. John Felix*

Staff's Request to Rescind Penalty Assessment TE-160698

Dear Mr. King:

On June 21, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-160698 against John Felix for ten violations of Washington Administrative Code (WAC 480-30-071 and 480-30-076), which requires charter and excursion carrier companies to furnish annual reports to the commission no later than May 1 each year, except when May 1 is a weekend, in which case the annual report is due by the next business day. May 2 was the next business day.

The company submitted an annual report and paid the regulatory fee on May 19, 2016. Commission staff spoke with the company on February 21, 2017. During this recent conversation, Mr. Felix indicated that he stopped operating the company two years ago and that such a large penalty would be a financial burden. For these reasons, Mr. Felix requests that the penalty be withdrawn and the case closed. The company's charter certificate was cancelled due to insufficient proof of insurance on March, 23, 2016 in case TE-160325. Although the company filed the annual report and paid the regulatory fees late, the company ultimately paid the regulatory fee and filed the annual report prior to the issuance of the penalty assessment, furthermore, the company remains inactive and stresses that this penalty would create a substantial economic burden. For these reasons, it is staff's recommendation that the assessed penalty be withdrawn and the docket closed.

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

Sincerely,

A handwritten signature in blue ink that reads "Sondra Walsh". The signature is written in a cursive style with a large initial "S".

Sondra Walsh, Director
Administrative Services