



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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October 17, 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. Bed Rock, Inc.*

Commission Staff's Response to Application for Mitigation of Penalties TG-170569

Dear Mr. King:

On July 7, 2017, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TG-170569 against Bed Rock, Inc. for 10 violations of Washington Administrative Code (WAC 480-70-071), which requires solid waste companies to furnish annual reports and the regulatory fee to the commission no later than May 1 each year.

On September 18, 2017, Bed Rock, Inc. wrote the commission requesting mitigation of penalties. In its mitigation request, Bed Rock, Inc. does not dispute the violation occurred. The company states, "...the renewal was sent to a PO Box in Vinta, OK which at one time was our accounts receivable personnel and we are no longer using this vendor. Email's were sent to one of our girls in accounting to an old email, and it was not forwarded. I don't even know how we finally received the final notice, because it was sent to the PO Box in OK. We have sent the annual report to Sean Bennett."

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 28, 2017, Annual Report packets were sent to all regulated solid waste companies. The instructions page informs the regulated company that it must complete the annual report form and pay the regulatory fees, and return the materials by May 1, 2017, to avoid enforcement action.

The company filed their complete annual report on September 13, 2017. Bed Rock, Inc. does not owe a 2017 regulatory fee based on the reported Washington intrastate revenue.

The Commission will only grant mitigation if the violations occurred due to circumstances beyond the company's control. Bed Rock, Inc. did not illustrate that they were unable to file their

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annual report and pay their regulatory fee due to circumstances beyond their control. Staff does not recommend mitigation nor a reduction of the penalty.

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

Sincerely,

/s/ Sean Bennett

Sean Bennett, Regulatory Analyst
Regulatory Services