

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment)	DOCKET UT-121006
Against)	
)	ORDER 01
S & S SECURITY SYSTEMS, INC.,)	
)	ORDER WAIVING PENALTY
in the amount of \$375.)	
.....)	

MEMORANDUM

- 1 **Penalty.** On August 1, 2012, the Washington Utilities and Transportation Commission (Commission) assessed a penalty of \$375 against S & S Security Systems, Inc. (S&S), for violations of Washington Administrative Code (WAC) 480-120-382. This rule requires competitively classified telecommunications companies to file annual reports with the Commission by May 1 each year. S&S failed to timely file its annual report.

- 2 S&S filed its annual report on May 29, 2012. S&S determined that it had incorrectly registered the company with the Commission and in July 2012 submitted a request for cancellation of its registration. S&S admitted the late filing violation but asked that the penalty be waived because the company “did not and will not have any future financial obligation for the tax type reported” on the required annual report form.

- 3 **Commission Staff Support for Waiver.** Commission Staff filed a Response to S&S’s letter on November 8, 2012. Staff confirms that S&S filed its annual report late, on May 29, 2012, 15 business days past the May 1 deadline. Staff acknowledges that S&S filed a request to cancel the company’s registration, but not until July 23, 2012, which was after the date required for filing annual reports. Staff states that companies that cancel their Commission-issued permit or registration are nevertheless required to file an annual report and pay a regulatory fee if they do so after the filing deadline. However, under the circumstances presented here, Staff recommends waiving the penalty for this company.

- 4 **Commission Determination.** The Commission determines that it should waive the penalty assessed against S&S. Although S&S failed to request cancellation of its registration prior to the deadline for filing its annual report, the Commission exercises its discretion not to penalize the company under these circumstances.

ORDER

THE COMMISSION ORDERS THAT:

- 5 (1) The penalty of \$375 assessed against S & S Security, Inc., is waived.
- 6 (2) The Commission delegates to its Secretary authority to enter this Order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Olympia, Washington, and effective November 29, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. Under WAC 480-07-904(3), you may seek Commission review of this decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least 14 days a listing of all matters delegated to the Executive Secretary for decision under WAC 480-07-904(1). You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.