

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment	)	DOCKET TV-140961
Against	)	
	)	ORDER 01
HARRIS, THOMAS EARL	)	
	)	ORDER GRANTING
in the amount of \$1,000	)	MITIGATION
.....	)	

**BACKGROUND**

- 1 Washington law requires household goods carriers to file annual reports and pay regulatory fees by May 1 of each year. WAC 480-15-480. On February 28, 2014, the Washington Utilities and Transportation Commission (Commission) mailed annual report and regulatory fee packets to all household goods carriers. The forms included a reminder that companies must file their annual reports and pay their regulatory fees by May 1, 2014, 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 Thomas Earl Harris did not file its annual report on May 1, 2014, and had not made that filing by May 15. On June 5, the Commission assessed a penalty of \$1,000 against Thomas Earl Harris, calculated as \$100 per business day from May 1 to May 15.
- 3 On June 10, 2014, Thomas Earl Harris responded to the Commission’s penalty assessment and requested mitigation based on the written information provided. The Company explained that its owner has a medical condition that, to date, has rendered him unable to work. Accordingly, the Company received no revenue in 2013.
- 4 On June 16, 2014, Thomas Earl Harris filed its annual report with no regulatory fees due.

5 On June 24, 2014, Commission Staff (Staff) filed a response recommending the Commission grant full mitigation of the penalty due to the Company's compelling circumstances.

**DISCUSSION**

6 The Commission agrees with Staff's recommendation and will not impose a penalty. The Commission's primary objective in any enforcement action is to ensure compliance with a company's legal obligations; penalties both punish past violations and provide an incentive to comply in the future. Given the circumstances here, we believe neither punishment nor incentive is warranted. The Company's owner has a medical condition that has rendered him unable to work, and the Company had no revenue in 2013. Under these circumstances, we will grant full mitigation of the penalty.

**ORDER**

**THE COMMISSION ORDERS:**

- 7 (1) The request of Thomas Earl Harris for mitigation of the \$1,000 penalty is GRANTED.
- 8 (2) No penalty is due.
- 9 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 15, 2014.

**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. 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 website.**