

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment)	DOCKET TE-141073
Against)	
)	ORDER 01
REDNECK LIMO SERVICE, LLC)	
)	ORDER GRANTING
in the amount of \$1,000)	MITIGATION
.....)	

BACKGROUND

- 1 Washington law requires charter and excursion carriers to file annual reports by May 1 of each year. WAC 480-30-071. On November 23, 2013, the Washington Utilities and Transportation Commission (Commission) mailed a letter to all charter and excursion carriers explaining that it recently adopted a rule changing the annual report due date for those carriers from December 31 to May 1. Regulatory fees remain due on December 31. On February 28, 2014, the Commission mailed annual report forms to all charter and excursion carriers. The forms included a reminder that companies must file their annual reports 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 Redneck Limo Service timely paid its regulatory fee, but did not file its annual report on May 1, 2014, and had not made that filing by May 15. On May 27, the Commission assessed a penalty of \$1,000 against Redneck Limo Service, calculated as \$100 per business day from May 1 to May 15.
- 3 On June 16, 2014, Redneck Limo Service filed its annual report.
- 4 On June 17, 2014, Redneck Limo Service responded to the Commission's penalty assessment admitting the violations and requesting mitigation of the penalty based on the written information provided. The Company explained that it came under new ownership effective December 31, 2013. The mitigation request was submitted by the previous owner, David Douglas, who acknowledged his responsibility to file a final annual report. Mr. Douglas further explained that he has had ongoing, serious medical issues since the end of 2013, and attached documentation verifying his condition.

5 On June 30, 2014, Commission Staff (Staff) filed a response recommending the Commission grant full mitigation of the penalty due to the Company's compelling circumstances. Staff also noted that the Company has no prior violations of WAC 480-30-071.

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 compelling circumstances here, we believe neither punishment nor incentive is warranted. The Company's owner has experienced serious medical issues for more than six months, and has since sold the Company. Additionally, the Company has been active since 2009 and has no previous violations of WAC 480-30-071. Under these circumstances, we will grant full mitigation of the penalty.

ORDER

THE COMMISSION ORDERS:

- 7 (1) The request of Redneck Limo Service, LLC 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 17, 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.