

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment	)	DOCKET UT-150804
Against	)	
	)	ORDER 01
CLEAR WORLD COMMUNICATIONS	)	
CORPORATION	)	ORDER GRANTING
	)	MITIGATION
in the amount of \$1,000	)	
.....	)	

**BACKGROUND**

- 1 Washington law requires regulated telecommunications companies to file annual reports and pay regulatory fees by May 1 of each year. WAC 480-120-382. On February 27, 2015, the Washington Utilities and Transportation Commission (Commission) mailed annual report and regulatory fee forms to all regulated telecommunications companies. The forms included a reminder that companies must file their annual reports and pay their regulatory fees by May 1, 2015, 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 Clear World Communications Corporation (Clear World or Company) filed an incomplete annual report on April 30, 2015, and had not completed its filing by May 15. On June 2, the Commission assessed a penalty of \$1,000 against Clear World, calculated as \$100 per business day from May 1 to May 15.
- 3 On June 22, 2015, Clear World responded to the Commission’s penalty assessment, admitting the violations and requesting mitigation based on the written information provided. The Company explained that its legal counsel, the party responsible for filing its annual report, has been hospitalized and is terminally ill.
- 4 On June 30, 2015, Commission staff (Staff) filed a response recommending grant the Company’s request for mitigation. Staff explained that the Company has been active since 1998 and has no prior violations of WAC 480-120-382. Due to the extenuating circumstances, Staff recommends waiving the penalty subject to the Company completing its annual report filing.

**DISCUSSION**

5 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. Because the Company's legal counsel is terminally ill, we believe neither punishment nor incentive is warranted here. Under these circumstances, we will grant full mitigation of the penalty, subject to the condition that the Company complete its filing within ten days of the date of this order.

**ORDER**

**THE COMMISSION ORDERS:**

- 6 (1) Clear World Communications Corporation's request for mitigation of the \$1,000 penalty is GRANTED, conditioned on Clear World Communications Corporation filing a complete annual report no later than July 17, 2015.
- 7 (2) No penalty is due, provided Clear World Communications Corporation completes its annual report filing by July 17, 2015. If Clear World Communications Corporation fails to complete its filing by that date, the \$1,000 penalty will become due and payable on July 18, 2015, without further action by the Commission.
- 8 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 7, 2015.

**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.**