

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment)	DOCKET UT-150819
Against)	
)	ORDER 01
GLOBAL GRID TELECOM, INC.)	
)	ORDER DENYING 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 Global Grid Telecom, Inc. (Global Grid or Company) did not file its annual report on May 1, 2015, and had not made that filing by May 15. On June 3, the Commission assessed a penalty of \$1,000 against Global Grid, calculated as \$100 per business day from May 1 to May 15.
- 3 On June 16, 2015, Global Grid responded to the Commission’s penalty assessment, admitting the violations and requesting mitigation based on the written information provided. The Company explained that instead of filing its annual report with the Commission, it mistakenly mailed two annual reports to Oregon.
- 4 On June 29, 2015, Commission staff (Staff) filed a response recommending the Commission deny the Company’s request for mitigation. Staff explained that the Company was previously delinquent in 2006, 2007, and 2013.

DISCUSSION

5 WAC 480-120-382 requires regulated telecommunications companies to file annual reports and pay regulatory fees by May 1 of each year. Companies are responsible for complying with their legal obligations, and the Company should have ensured its annual report was timely filed.

6 The Commission agrees with Staff's recommendation and denies the Company's request for mitigation. The Commission may consider a number of factors when entertaining a request for mitigation, including the company's compliance history and the likelihood the violation will recur.¹ Ultimately, the Commission's goal is to gain compliance going forward. Here, Global Grid has a history of noncompliance; it received and paid penalties of \$100 in 2006, \$200 in 2007, and \$250 in 2013. Moreover, the \$250 penalty assessed in 2013 remains unpaid. Accordingly, the violations are likely to recur absent an escalated penalty. The Commission finds the penalty amount to be a reasonable deterrent to overlooking future filing deadlines and requirements. Moreover, in the event the Company fails to file its annual report and pay its regulatory and late payment fees, pay the \$250 penalty assessed in Docket UT-130810, or pay the \$1,000 penalty assessed in this Docket within 10 days of the date of this Order, the Commission will commence proceedings to revoke the Company's registration pursuant to WAC 480-121-060.

ORDER

THE COMMISSION ORDERS:

- 7 (1) Global Grid Telecom, Inc.'s request for mitigation of the \$1,000 penalty is DENIED.
- 8 (2) The \$1,000 penalty is due and payable no later than July 20, 2015.
- 9 (3) The \$250 penalty assessed in Docket UT-130810 is due and payable no later than July 20, 2015.

¹ Docket A-120061, Enforcement Policy for the Washington Utilities and Transportation Commission (January 7, 2013).

10 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 10, 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.