

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment ) DOCKET TV-150884  
Against )  
 ) ORDER 01  
BROOKS, SEAN T. )  
 ) ORDER GRANTING  
in the amount of \$100 ) 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 27, 2015, 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, 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 Sean T. Brooks filed its annual report on May 4, 2015. On May 29, the Commission assessed a penalty of \$100 against Sean T. Brooks, calculated as \$100 per business day from May 1 to May 4.
- 3 On May 29, 2015, Sean T. Brooks responded to the Commission’s penalty assessment, admitting the violations and requesting mitigation based on the written information provided. The Company provided information regarding medical issues that unexpectedly hospitalized the owner/operator.
- 4 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**

- 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 owner was unexpectedly hospitalized, we believe neither punishment nor incentive is warranted here. Under these circumstances, we will grant full mitigation of the penalty.

**ORDER**

THE COMMISSION ORDERS:

- 6 (1) The request of Sean T. Brooks for mitigation of the \$100 penalty is GRANTED.
- 7 (2) No penalty is due.
- 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 31, 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.**