



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

June 24, 2015

Steven V. King, Executive Director and Secretary  
Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250  
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Nowadnick and Sons, Inc.*

Commission Staff's Response to Application for Mitigation of Penalties TV-150930

Dear Mr. King:

On June 1, 2015, the Utilities and Transportation Commission issued a \$800 Penalty Assessment in Docket TV-150930 against Nowadnick and Sons, Inc. for 8 violations of Washington Administrative Code (WAC) 480-15-480 which requires household goods carrier companies to furnish annual reports to the commission no later than May 1 each year.

On June 11, 2015, Nowadnick and Sons, Inc. wrote the commission requesting mitigation of penalties. In its mitigation request, Nowadnick and Sons, Inc. does not dispute the violation occurred. The company's response states, "We acknowledge that we submitted our 2014 annual report on May 13, 2015; eight business days from the due date of May 1, 2015. Erroneously, we believed the due date to be May 31, 2015. As soon as we realized that we had inadvertently missed the due date, we contacted Ms. Hancock at your agency; notifying her of the date confusion and immediately made every effort to submit the reports as quickly as possible".

It is the company's responsibility to ensure that the regulatory fee is paid and the annual report is filed by the May 1 deadline. On February 27, 2015, Annual Report packets were mailed to all regulated household goods carriers. The instructions for annual report completion page of the annual report informed the regulated company that it must complete the annual report form, pay the regulatory fees, and return the materials by May 1, 2015, to avoid enforcement action.

On May 13, 2015 Nowadnick and Sons, Inc. filed a complete annual report and paid the required regulatory fees and late payment penalty. No prior violations of WAC 480-15-480 are on commission record. Staff supports the company's request for mitigation as this is the first delinquent filing. Staff recommends a reduced penalty of \$25 per day for a total penalty assessment of \$200.

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If you have any questions regarding this recommendation, please contact Amy Andrews, Regulatory Analyst, at (360) 664-1157, or [aandrews@utc.wa.gov](mailto:aandrews@utc.wa.gov).

Sincerely,



Sondra Walsh, Director  
Administrative Services