



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

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

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June 17, 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. Whidbey Moving & Storage Inc.*

Commission Staff's Response to Application for Mitigation of Penalties TV-150947

Dear Mr. King:

On June 2, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TV-150947 against Whidbey Moving & Storage Inc. for 10 violations of Washington Administrative Code (WAC) 480-15-480 which requires household goods carriers companies to furnish annual reports to the commission no later than May 1 each year.

On June 8, 2015, Whidbey Moving & Storage Inc. wrote the commission requesting mitigation of penalties. In its mitigation request, Whidbey Moving & Storage Inc. does not dispute the violation occurred. The company requested the penalty be waived due to a change in the annual report form which required extensive time to obtain the information, and no prior knowledge of the ability to request an extension. The company also stated, "Being a small firm, the significance of the \$1,000 is material for us and in this economic climate does represent a financial hardship".

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 carrier companies. 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 28, 2015, Whidbey Moving & Storage Inc. filed its 2014 annual report and paid the regulatory fees and late payment penalties. The company has been active since 1996. No prior violations of WAC 480-15-480 are on commission record. Whidbey Moving & Storage Inc. timely and correctly filed the 2013 annual report, which was in fact, the same format for the

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2014 reporting year. No changes were made to the annual report template by the commission. Information is available on the Instructions for Annual Report Completion (page 2) of the annual report document providing specific information related to the ability to file an extension request. While staff does not support the company's request to waive the penalty, staff does support mitigation of the penalty as this is the company's first delinquent filing. Staff recommends a reduced penalty of \$25 per day for a total penalty of \$250.

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

Sincerely,



Sondra Walsh, Director
Administrative Services