



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

August 28, 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. Elegant Limo, Inc.*

Commission Staff's Response to Request for Hearing TE-151020

Dear Mr. King:

On June 9, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-151020 against Elegant Limo, Inc. for 10 violations of Washington Administrative Code (WAC) 480-30-071 which requires charter and excursion carriers to furnish annual reports to the commission no later than May 1 each year.

On August 27, 2015, Elegant Limo, Inc. wrote the commission requesting a hearing for mitigation of penalties. In its hearing request, Elegant Limo, Inc. does not dispute the violation occurred. The company's response indicated a change of address being submitted with no annual report received after updating the address with the commission. The company also provided information regarding the death of a family member which required out of country travel.

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 charter and excursion 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 August 19, 2015, Elegant Limo, Inc. filed an incomplete annual report and paid the regulatory fees owed. Commission staff contacted the company regarding the discrepancy on the

Attachment A – Returned mail with commission staff note of new address and date remailed

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same day. On August 26, 2015, the company filed a completed annual report. The company has been active since June 24, 2014.

The company's mitigation request provided copies of email communications to commission staff updating the business address on March 16, 2015 and claims no annual report was received. Commission staff remailed the annual report document on March 16, 2015, the same day the company notified the commission of the change of address. Elegant Limo, Inc. did not contact the commission after the March 16 date. Only after the commission served a notice of intent to cancel on August 11, 2015 did the company contact the commission to obtain the annual report document. The company also did not respond to the June 9, 2015 penalty assessment which provided the company 15 days to respond to request for hearing or mitigation.

As this is the company's first delinquent filing and the extenuating circumstances surrounding the out of country travel for the death of a family member, staff would be amenable to mitigation of the penalty. Staff recommends a reduced penalty assessment of \$25 per day for a total penalty assessment 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

ATTACHMENT A



