

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment Against	DOCKET TV-160638
PUGET SERVICES, LLC	ORDER 01
in the amount of \$400	ORDER DENYING MITIGATION

**BACKGROUND**

- 1 On February 29, 2016, the Washington Utilities and Transportation Commission (Commission) mailed annual report and regulatory fee forms to all household goods carriers. The forms included a reminder that companies must file their annual reports and pay their regulatory fees by Monday, May 2, 2016, 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 Puget Services, LLC (Puget Services or Company) filed an incomplete annual report on April 27, 2016, and did not make a complete filing until May 6. On June 29, the Commission assessed a penalty of \$400 against Puget Services, calculated as \$100 per business day from May 2 to May 6.
- 3 On July 12, 2016, Puget Services responded to the Commission's penalty assessment, admitting the violations and requesting mitigation based on the written information provided. In its response, the Company states, "... we submitted our annual report approximately four days before the deadline but accidentally omitted only the intrastate mileage, which was provided immediately to Amy Andrews upon request."
- 4 On July 26, 2016, Commission staff (Staff) filed a response recommending the Commission deny the Company's request for mitigation because the Company received and paid penalties of \$150 and \$900 for violations of WAC 480-15-480 in 2013 and 2014, respectively. Staff noted that the Company's initial filing failing to include a completed cover sheet, intrastate mileage information, and household good move information.

## DISCUSSION

5 WAC 480-15-480 requires household good carriers to file annual reports and pay regulatory fees by May 1 of each year, or the first business day thereafter. Companies are responsible for complying with their legal obligations, and the Company should have taken steps to ensure its complete report was received by the deadline, particularly in light of the significant penalties it incurred for previous violations.

6 We agree with Staff's recommendation and deny the Company's request for mitigation. The Commission may consider a number of factors when entertaining a request for mitigation, including whether the violation was promptly corrected, a company's history of compliance, and the likelihood the violation will recur.<sup>1</sup> Ultimately, the Commission's goal is to deter repeat violations. Here, the Company has a history of non-compliance; it received and paid a \$150 penalty in 2013 and a \$900 penalty in 2014 for violations of WAC 480-15-480. Moreover, the Company has not presented any new or compelling information that would warrant a penalty reduction. Accordingly, we find the \$400 penalty to be an appropriate incentive for the Company to ensure timely filings going forward.

## ORDER

### THE COMMISSION ORDERS:

7 (1) Puget Services, LLC's request for mitigation of the \$400 penalty is DENIED.

8 (2) The \$400 penalty is due and payable no later than August 29, 2016.

9 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 August 15, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING  
Executive Director and Secretary

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

**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.**