

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment Against	DOCKET TE-160694
DREAM RIDE CHARTERS, LLC	ORDER 01
in the amount of \$1,000	ORDER GRANTING MITIGATION TO \$250

BACKGROUND

- 1 On February 29, 2016, the Washington Utilities and Transportation Commission (Commission) mailed annual report and regulatory fee forms to all charter and excursion 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 Dream Ride Charters, LLC (Dream Ride or Company) did not file its annual report on May 2, 2016, and had not made that filing by May 16. On June 21, the Commission assessed a penalty of \$1,000 against Dream Ride, calculated as \$100 per business day from May 2 to May 16.
- 3 On June 30, 2016, Dream Ride filed a complete annual report and paid the required regulatory fee. On July 1, Dream Ride 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 did not receive the annual report notice, therefore we were unaware of when the payment was due. We always respond to renewals as soon as we receive them. We feel \$1,000 is a lot to pay for something out of our control.”
- 4 On July 19, 2016, Commission staff (Staff) filed a response recommending a penalty reduction to \$25 per day, or \$250, because the Company has been active since 2007 and has no prior violations of WAC 480-30-071.

DISCUSSION

5 WAC 480-30-071 requires charter and excursion carriers to file annual reports 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 not rely on reminders
from the Commission to ensure compliance.

6 The Commission nevertheless agrees with Staff's recommendation. 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.¹ Here, Dream Ride has corrected the violations by
filing its annual report and paying its regulatory fee. In addition, this is the Company's
first violation of WAC 480-30-071 since it became regulated in 2007. Given the
Company's history of compliance, the violations are not likely to recur. In light of these
factors, the Commission will exercise its discretion to reduce the penalty to \$250.

ORDER

THE COMMISSION ORDERS:

7 (1) Dream Ride Charters, LLC's request for mitigation of the \$1,000 penalty is
GRANTED in part, and the penalty is reduced to \$250.

8 (2) The \$250 penalty is due and payable no later than August 24, 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 10, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary

¹ 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.