



**STATE OF WASHINGTON**  
**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**

March 12, 2013

Richard Johnson, Owner  
CWA, Inc.  
1416 Whitehorn St.  
Ferndale, WA 98248

**RE: UTC Annual Safety Report Penalty Assessment, in Docket TE-130194**

Dear Mr. Johnson:

On March 4, 2013, the Washington Utilities and Transportation Commission issued a penalty assessment of \$1,800 for a violation of WAC 480-30-071 and WAC 480-30-076, which requires charter and excursion companies to furnish annual safety reports and pay regulatory fees to the commission no later than Dec. 31 each year.

CWA, Inc., contacted the commission on March 4, advising that it filed the annual report and the commission assessed an additional \$5.50 in regulatory fees.

Commission staff investigated the issue and determined that the initial penalty assessment was inaccurate. The amended penalty assessment is attached.

The amended penalty assessment reflects that CWA, Inc., filed its 2012 Annual Safety Report and paid its 2013 Regulatory Fee on Jan. 17, 2013. That date is eight business days past the Jan. 7, 2013, notice date when penalties began to accrue, resulting in a penalty assessment of \$100 per day, or \$800. However, because CWA, Inc., filed prior to Jan. 18, the penalty was mitigated to \$25 per business day. CWA, Inc., is not a first time late-filer, having received a penalty for violations of WAC 480-30-071 in 2010. CWA, Inc., therefore is subject to an additional penalty of \$25 per business day. CWA, Inc., is subject to a total mitigated penalty of \$50 per day for eight days for a total penalty assessment of \$400. Please find attached an amended penalty assessment.

CWA, Inc.'s regulatory fee payment was \$275. CWA, Inc., did not file its report by the deadline, therefore, an additional \$5.50 or a late fee of two percent of the amount due was assessed, as permitted in WAC 480-30-076(4).

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If you have any questions you may contact Mathew Perkinson, Compliance Investigator. Mr. Perkinson can be reached at (360) 664-1105 or at [mperkinson@utc.wa.gov](mailto:mperkinson@utc.wa.gov).

Sincerely,

Sharon Wallace, Assistant Director  
Consumer Protection and Communications