



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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July 25, 2016

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. East County Senior Center*

Commission Staff's Response to Application for Mitigation of Penalties TN-160662

Dear Mr. King:

On June 17, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TN-160661 against East County Senior Center for ten violations of Washington Administrative Code (WAC 480-30-080), which requires nonprofit special needs transportation companies to furnish annual reports and the regulatory fee to the commission no later than May 1 each year, or in this case, May 2 as May 1 was a Sunday.

On July 8, 2016, East County Senior Center wrote the commission requesting mitigation of penalties. In its mitigation request, East County Senior Center does not dispute the violation occurred. The company states, "...I was hired as Director of ECSC on April 1, 2016. I didn't know about this yearly report until this letter arrived on June 23. Our bookkeeper was hired at the end of March. The previous bookkeeper was fired near the middle of March. Because of these staff changes and the unknown report, I ask the Commission to be kind to a small nonprofit Senior Center. All Senior Centers in Snohomish County were just denied continued funding from United Way, ending a four decades long funding relationship. ESSC runs a bus program that transports seniors and disabled adults throughout our community and is truly a lifeline for seniors in and around Monroe as there are limited transportation options in our area. I assure you this annual report will be on time."

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 29, 2016, Annual Report packets were mailed to all regulated nonprofit transportation companies. The instructions page informs the regulated company that it must complete the annual report form and pay the regulatory fees, and return the materials by May 2, 2016, to avoid enforcement action.

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On July 13, 2016 East County Senior Center provided the complete annual report. East County Senior Center has long been regulated by the UTC and had one previous violation of WAC 480-30-080 with the late filing of their 2012 annual report. East County Senior Center has a prior violation, however, in light of the recent staffing changes, the recent funding cuts, and the important work they do in the community, staff recommends the penalty be waived and the docket closed.

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

Sincerely,



Sondra Walsh, Director
Administrative Services