



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 • www.utc.wa.gov

September 20, 2017

RE: *In the Matter of the Penalty Assessment against AC Checker, LLC*
Docket TE-170594

TO ALL PARTIES:

On June 19, 2017, the Washington Utilities and Transportation Commission (Commission) issued and served a Penalty Assessment against AC Checker LLC (Company) in the amount of \$1,000, alleging violations of WAC 480-30-071 and 480-30-076, which require charter and excursion companies to file annual reports and pay regulatory fees by May 1 each year. Because the Company had not previously violated these rules, the Commission in its Notice of Penalty Assessment offered to suspend \$750 of the penalty and then waive it on the conditions that the Company file a complete annual report, pay its regulatory fee, and pay the unsuspended penalty within 15 days of receiving the Penalty Assessment.

On August 14, 2017, Commission staff (Staff) filed a letter in this docket informing the Commission that as of August 11, 2017, the Company had not paid the \$250 portion of the penalty that the Commission did not offer to suspend and thus had not met the conditions for mitigating the penalty. Staff, therefore, recommended that the Commission impose the full \$1,000 penalty.

On August 24, 2017, the Commission issued a letter accepting Staff's recommendation and confirming that the full \$1,000 penalty was due and payable.

The Commission subsequently became aware that the Company paid the \$250 penalty on August 17, 2017, and had previously submitted its annual report and paid its regulatory fee. Although the Company did not satisfy the mitigation conditions in the Notice of Penalty Assessment until long after the 15 day period specified in the Notice and applicable statute, the Commission exercises its discretion under the circumstances presented and accepts the Company's payment and submissions as complying with those conditions.

The Commission, therefore, rescinds its August 24, 2017, non-compliance letter to the Company, acknowledges that AC Checker LLC has paid the \$250 mitigated penalty the Commission assessed for failing to timely submit the Company's annual report and pay its

regulatory fee, and waives the remaining \$750 of the originally assessed penalty. No further penalty amount is due and owing. This docket is now closed.

STEVEN V. KING
Executive Director and Secretary