

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In re Penalty Assessment No.) DOCKET NO. UT-051706
UT-051706)
) ORDER NO. 01
THRESHOLD)
COMMUNICATIONS, INC.)
) ORDER GRANTING MITIGATION
)
.....)

BACKGROUND

- 1 On December 6, 2005, the Commission issued a penalty assessment against Threshold Communications, Inc., in the amount of \$100 for one violation of WAC 480-120-382, which requires competitively classified telephone companies to file an annual report by May 1 of each year.

- 2 On December 22, 2005, Threshold Communications, Inc., filed a timely petition for mitigation of the penalty assessment. The petition did not seek a hearing and did not request a hearing to contest the factual basis of the penalties. The Company provided information stating that it filed its 2004 annual report on time.

- 3 On January 10, 2006, Commission Staff responded to the petition, recommending that the violation be fully mitigated. The Staff response indicates it has found that the Company did file its 2004 annual report on time and that the penalty was assessed in error.

- 4 The Commission finds that it erroneously issued this penalty assessment against Threshold Communications, Inc. The Commission regrets this error and the inconvenience it has caused Threshold Communications, Inc. The Commission concludes it should rescind the penalty assessment and fully mitigate the penalty assessed.

ORDER

- 5 The Commission grants the petition of Threshold Communications, Inc.
- 6 In doing so, the Commission rescinds the penalty assessment and mitigates to zero the penalty assessed.

DATED at Olympia, Washington, and effective this ____ day of January, 2006

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner

NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-07-850, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-07-870.