

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment Against	DOCKET TE-160703
JMI LIMOUSINE, INC.	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 JMI Limousine, Inc. (JMI or Company) filed an incomplete annual report on March 29, 2016, and had not made a complete filing by May 16. On June 28, the Commission assessed a penalty of \$1,000 against JMI, calculated as \$100 per business day from May 2 to May 16.
- 3 On July 7, 2016, JMI filed a complete annual report. On July 14, JMI responded to the Commission’s penalty assessment, admitting the violations and requesting mitigation based on the information provided. The Company failed to provide a written explanation for the violations as required.
- 4 On July 26, 2016, Commission staff (Staff) filed a response recommending a penalty reduction to \$25 per day, or \$250, because the Company became regulated in 2015 and therefore 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 have ensured its report was timely filed.

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.<sup>1</sup> Here, JMI has corrected the violation by filing its annual report and paying its regulatory fee. Because we have routinely granted mitigation to similarly-situated companies in their first year of operation, the Commission will exercise its discretion to reduce the penalty to \$250.

**ORDER**

THE COMMISSION ORDERS:

- 7 (1) JMI Limousine, Inc.'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 29, 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 15, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING  
Executive Director and Secretary

**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.**

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<sup>1</sup> Docket A-120061, Enforcement Policy for the Washington Utilities and Transportation Commission (January 7, 2013).