

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment Against	DOCKET TE-160710
MEIXI TRAVEL, LLC	ORDER 01
in the amount of \$1,000	ORDER DENYING MITIGATION

**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 Meixi Travel, LLC (Meixi or Company) did not file its annual report on May 2, 2016, and had not made that filing by May 16. On June 21, the Commission assessed a penalty of \$1,000 against Meixi, calculated as \$100 per business day from May 2 to May 16.
- 3 On June 30, 2016, Meixi responded to the Commission’s penalty assessment, admitting the violations and requesting mitigation based on the written information provided. The Company explained that it did not receive the annual report packet from the Commission.
- 4 On July 13, 2016, Commission staff (Staff) filed a response recommending the Commission deny the mitigation request because the Company received and paid a \$250 penalty for violations of WAC 480-30-071 in 2015.

**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 not rely on reminders from the Commission to ensure compliance.

6 We agree with Staff's recommendation and deny the Company's request for mitigation. 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> Ultimately, the Commission's goal is to deter repeat violations. Here, the Company has a history of non-compliance; it received and paid a \$250 penalty in 2015 for violations of WAC 480-120-382. Moreover, the Company has not presented any new or compelling information that would warrant a penalty reduction. Accordingly, we find the \$1,000 penalty to be an appropriate incentive for the Company to ensure timely filings going forward.

### ORDER

#### THE COMMISSION ORDERS:

7 (1) Meixi Travel, LLC's request for mitigation of the \$1,000 penalty is DENIED.

8 (2) The \$1,000 penalty is due and payable no later than August 16, 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 2, 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).