

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

In the Matter of the Petition of	)	DOCKET NO. UT-050637
	)	
MASHELL TELECOM, INC.,	)	ORDER NO. 01
	)	
Petitioner,	)	
	)	
Seeking Exemption from the Provisions of	)	
WAC 480-120-385 Relating to Reporting	)	
Requirements of Telecommunications	)	ORDER GRANTING
Companies to File Annual Report.	)	LIMITED EXEMPTION
.....	)	

**BACKGROUND**

- 1 On April 25, 2005, Mashell Telecom, Inc., (Mashell or the Company) filed with the Commission a petition for an extension of time to file its 2004 annual report, as required by RCW 80.04.080, RCW 80.04.530(2), and WAC 480-120-385(1). According to the Company, it was unable to prepare the report by the due date of May 1, 2005, because its internal audit had not yet been completed. The Company sought an extension of time until May 15, 2005.
- 2 Commission Staff reviewed the request and recommends granting the Company's request for an extension of time until May 15, 2005.

**FINDINGS AND CONCLUSIONS**

- 3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies. *RCW 80.01.040; Chapter 80.04 RCW and Chapter 80.36 RCW.*

- 4 (2) Mashell is a telecommunications company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) Mashell is subject to the provisions of RCW 80.04.080, RCW 80-04-530, and WAC 480-120-385, requiring telecommunications companies to file an annual report no later than May 1<sup>st</sup> of each year.
- 6 (4) WAC 480-120-015 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-120 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 7 (5) This matter was brought before the Commission at its regularly scheduled meeting on May 11, 2005.
- 8 (6) After review of the petition filed in Docket UT-050637 by Mashell on April 25, 2004, and giving due consideration, the Commission finds the limited exemption is reasonable and should be granted.

## ORDER

### THE COMMISSION ORDERS:

- 9 (1) The exemption sought by Mashell Telecom, Inc., for an extension in time until May 15, 2005, to file its annual report is granted.
- 10 (2) Failure by Mashell Telecom, Inc., to file its annual report by May 15, 2005, may result in the Commission invoking provisions of Chapter 80.04 RCW that provide for penalty assessments.

- 11 (3) The Commission retains jurisdiction over the subject matter and Mashell Telecom, Inc., to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 11<sup>th</sup> day of May, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary