

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

In re Penalty Assessment No.)	DOCKET TN-060237
TN-060237)	
)	ORDER NO. 01
COMPASS HEALTH)	
)	
)	ORDER GRANTING MITIGATION
.....)	

1 On February 28, 2006, The Washington Utilities and Transportation Commission (commission) assessed a penalty in the amount of \$100 against Compass Health for one violation of WAC 480-31-081, which requires private, nonprofit special needs transportation companies to file annual reports to the commission no later than May 1 of each year. Commission staff sent Compass Health a letter on June 1, 2005, with a due date of July 1, 2005, for filing its 2004 annual report and 2005 per-vehicle regulatory fees. Compass Health filed its annual report and regulatory fee on March 14, 2006.

2 On March 7, 2006, Jean Costanti-Oehler, Facilities Director, Compass Health filed a timely petition for mitigation of the penalty assessment. The petition does not seek a hearing and does not request a hearing to contest the factual basis of the penalties. The company apologizes and states that it does not know why it failed to file the annual report and regulatory fee. The company states it has had staff turnover during the last year. Compass Health submitted its 2004 annual report on March 14, 2006, along with its regulatory fee.

3 On March 20, 2006, commission staff responded to Compass Health’s Application for Mitigation. Staff states that since the commission has received the company’s 2004 annual report and 2005 regulatory fee, the most efficient resolution is to recommend that the penalty be fully mitigated.

4 The commission accepts Staff’s assessment of the carriers’ intentions, and notes that this appears to be the carrier’s first such failure. Accordingly, we mitigate the penalty.

ORDER

- 5 The commission grants the Application for Mitigation of Penalties of Compass Health.
- 6 The commission rescinds the penalty assessment and mitigates to zero the penalty assessed.

DATED at Olympia, Washington, and effective March 27, 2006.

WASHINGTON STATE 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.