

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

In re Penalty Assessment Against)	DOCKET UT-081126
)	
)	
ONEEIGHTY NETWORKS, INC.,)	ORDER 01
)	
)	
In the amount of \$100.)	ORDER RESCINDING PENALTY
.....)	

- 1 On July 8, 2008, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against OneEighty Networks, Inc. (OneEighty) in the amount of \$100 for one violation of Washington Administrative Code (WAC) 480-120-382, which requires competitive telecommunications companies to file annual reports with the Commission by May 1 each year. In the penalty assessment order, the Commission alleged OneEighty failed to timely file its 2007 annual report, after the Commission had extended the May 1 deadline to May 30.

- 2 On July 23, 2008, Orbitcom, Inc. filed a letter with the Commission requesting that the Commission rescind the penalty. Orbitcom stated that it purchased OneEighty in November of 2007. Orbitcom states that it filed a combined 2007 Annual Report on behalf of Orbitcom and OneEighty on April 30, 2008.

- 3 On August 5, 2008, the Commission Staff (Staff) filed a Response to OneEighty Network’s Application for Mitigation and Declaration of Sheri Hoyt. Ms. Hoyt states that the Commission did receive the combined 2007 Annual Report by May 1, 2008. As a result, the filing was timely, and Staff recommends that the Commission rescind or mitigate the \$100 penalty in its entirety.

- 4 The penalty assessment issued against OneEighty in Docket UT-081126 should be rescinded, as the penalty assessment was issued in error.

ORDER

- 5 The Commission rescinds the \$100 penalty assessment issued against OneEighty Networks, Inc. in this docket.

DATED at Olympia, Washington, and effective August 19, 2008.

MARGUERITE E. RUSSELL
Administrative Law Judge