

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Penalty Assessment
Against DRIVER FOR HIRE, INC. in the
Amount of \$100

DOCKET TE-100269

COMMISSION STAFF'S RESPONSE
TO DRIVER FOR HIRE, INC.'S
REQUEST FOR HEARING

1 Pursuant to WAC 480-07-370(1)(c), Staff of the Washington Utilities and Transportation Commission (Commission Staff) submits this response¹ to the Request for Hearing filed by Driver for Hire, Inc. (Drive for Hire).

2 On February 18, 2010, the Commission assessed a penalty of \$100 against Driver for Hire for one violation of WAC 480-30-071. On March 8, 2010, the Commission received a Request for Hearing from Driver for Hire. In its Request for Hearing, Driver For Hire denied the violation occurred and requested a decision by an Administrative Law Judge on the basis of information presented. On March 15, 2010, Driver For Hire filed an amended Request for Hearing, waiving a hearing and requesting an administrative decision. Commission Staff does not oppose the company's request for a decision on a paper record, but does contest Driver For Hire's assertion that the violation did not occur, and opposes mitigation of the penalty amount, for the reasons set forth in the attached declaration of Sheri Hoyt.

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¹ Please note that this response does not come from the Commission but from Commission Staff. Commission Staff is a party in this case and is separate from the Commission. The Commission will be the ultimate decision-maker in this matter. An administrative law judge will consider Driver For Hire's statement and Commission Staff's statement and will issue a decision. The Commission may accept, modify, or reject that decision.

DATED this ____ day of _____ 2010.

Respectfully submitted,

ROBERT M. MCKENNA
Attorney General

MICHAEL A. FASSIO
Assistant Attorney General
Counsel for Washington Utilities and
Transportation Commission Staff