



Bob Ferguson

# ATTORNEY GENERAL OF WASHINGTON

Utilities and Transportation Division

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August 12, 2014


Steven V. King, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250  
Olympia, Washington 98504-7250

RE: *In the Matter of the Penalty Assessment against Alton L. Montgomery, in the amount of \$1,000*  
Docket TG-141013

Dear Mr. King:

Enclosed for filing in the above-referenced docket are the original and one copy of a Request to Withdraw Penalty Assessment and Cancel Hearing, on behalf of Commission Staff, and Certificate of Service.

Sincerely,

*for* 

MICHAEL A. FASSIO  
Assistant Attorney General

MAF/emd

Enclosures

cc: Alton L. Montgomery w/enc.

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Penalty Assessment  
Against

MONTGOMERY, ALTON L.

In the Amount of \$1,000.

DOCKET TG-141013

COMMISSION STAFF'S  
REQUEST TO WITHDRAW  
PENALTY ASSESSMENT AND  
CANCEL HEARING

1           On June 2, 2014, the Washington Utilities and Transportation Commission  
(Commission) issued a \$1,000 Penalty Assessment against Alton L. Montgomery in the  
above referenced docket, for ten violations of WAC 480-70-071, which requires solid waste  
companies to file their annual reports and pay regulatory fees to the Commission no later  
than May 1 each year. According to the penalty assessment, the report was not complete.

2           On May 28, 2014, Karin Montgomery filed a letter on behalf of Alton L.  
Montgomery requesting a hearing. In the letter, Ms. Montgomery explains that she timely  
filed the company's annual report on May 1, 2014, and after consulting with Commission  
Staff was instructed to enter zeros (0) in the totals area of Schedules 2, 2A, and 2B on the  
annual report (balance sheets); however she was not able to and so the zeros displayed as a  
dashes (-). The company explains that they have "no assets, property, liabilities, debts, or  
equity; therefore these schedules do not pertain to us." Based on the request, the  
Commission set the matter for hearing on August 26, 2014.

3           Commission Staff concurs that the annual report was timely filed, and that that the  
annual report was technically complete as the company tried to enter zeros on the balance  
sheets available from the Commission's website but was unsuccessful and as a result they

appear as dashes. Because the company was technically in compliance, it should not be penalized. Accordingly, Commission Staff requests that the penalty assessment be withdrawn and the hearing canceled.

DATED this 12th day of August, 2014.

Respectfully submitted,

ROBERT W. FERGUSON  
Attorney General

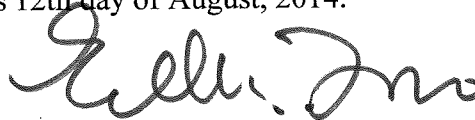
A handwritten signature in black ink, appearing to read "BA F. Fassio", is written over a horizontal line. To the right of the signature, the word "for" is written in a smaller, cursive script.

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

Docket TG-141013  
CERTIFICATE OF SERVICE

I hereby certify that I have this day served the attached Request to Withdraw Penalty Assessment and Cancel Hearing upon the persons and entities listed on the Service List below by depositing a copy of said document in the United States mail, addressed as shown on said Service List, with first class postage prepaid.

DATED at Olympia, Washington this 12th day of August, 2014.



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ELIZABETH M. DeMARCO

***Respondent:***

Alton L. Montgomery  
5421 C Fruitland Valley Rd.  
Fruitland, WA 99129  
Phone:  
E-mail: