

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

In re Penalty Assessment No.)	DOCKET TN-060238
TN-060238)	
)	ORDER NO. 01
THE CAROLINE KLINE)	
GALLAND HOME)	
)	ORDER GRANTING MITIGATION
)	
.....)	

- 1 On February 28, 2006, The Washington Utilities and Transportation Commission (commission) assessed a penalty in the amount of \$100 against The Caroline Kline Galland Home (Galland Home) 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 Galland Home 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. Galland Home filed its annual report and regulatory fee on December 12, 2005.

- 2 On March 6, 2006, Linda Grover, Assistant Administrator, The Carole Kline Galland Home 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 states that it contacted the commission by mail on December 5, 2005, regarding UTC regulation and was told by staff that “it did not qualify as an agency that would be under UTC regulation”. Galland Home did determine that its RideShare service is regulated by the UTC and filed its 2004 annual report on December 12, 2005.

- 3 On March 15, 2006, commission staff responded to Galland Home’s Application for Mitigation. Staff states that the commission received Galland Home’s 2004 annual report but then mislaid it. Accordingly, staff recommends that the penalty be fully mitigated.

- 4 The commission finds that it erroneously issued this penalty assessment against The Caroline Kline Galland Home. The commission regrets this error and the inconvenience it has caused The Caroline Kline Galland Home. The commission concludes it should rescind the penalty assessment and fully mitigate the penalty assessed.

ORDER

- 5 The commission grants the Application for Mitigation of Penalties of The Caroline Kline Galland Home.
- 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.