



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

July 11, 2005

Vince A. Wagner
Bill's Transfer, Inc.
2912 69th Avenue West, Unit D-11
Tacoma, Washington 98466

Dear Mr. Wagner,

The Washington Utilities and Transportation Commission (Commission) received your recent letter asking for mitigation of penalty assessment No. TV-050421. By this letter, it rejects your request.

RCW 81.04.405 requires that petitions for mitigation must be received by the Commission no later than 15 days after the day the penalty assessment is served. Bill's Transfer, Inc.'s penalty assessment was served on April 11, 2005. The time for petitioning for mitigation expired on April 26, 2005.

The Commission received your petition for mitigation on June 15, 2005. That is far longer than the time allowed. The Commission does not have the power to change the statute to allow for a longer time. Therefore, we reject your petition because it was not filed within the time allowed in the law.

For questions regarding this matter, please contact Sheri Hoyt, Compliance Specialist, Business Practices Investigations Section. Ms. Hoyt can be reached at (360) 664-1149, or by electronic mail at shoyt@wutc.wa.gov.

Sincerely,

for Carole J. Washburn
Executive Secretary

