April 19, 2013

Steven V. King, Acting Executive Director and Secretary

Washington Utilities and Transportation Commission

1300 S. Evergreen Park Dr. SW

P.O. Box 47250

Olympia, Washington 98504-7250

RE: *WUTC v. Excalibur Limousine – Penalty Assessment*

 Docket TE-130198

Dear Mr. King:

In accordance with the Notice of Brief Adjudicative Proceeding issued in this docket on March 27, 2013, Commission Staff submits the following list of documents it wishes the Commission to consider at the brief adjudicative proceeding:

1. Declaration of Mathew D. Perkinson, Compliance Investigator, Staff of the Washington Utilities and Transportation Commission. Mr. Perkinson describes his investigation into the circumstances underlying Penalty Assessment TE-130198, issued against Excalibur Limousine, LLC d/b/a Seattle Green Limo (Excalibur), for failure to file its 2012 Annual Safety Report, in violation of WAC 480-30-071, and for failure to pay 2013 regulatory fees, in violation of WAC 480-30-076. He also provides supporting documentation, listed below in items 2-10, consisting of written communications between the Commission and Excalibur in connection with Penalty Assessment TE-130198. Finally, Mr. Perkinson presents Staff’s recommendation regarding mitigation of Penalty Assessment TE-130198. (6 pages)
2. Letter, dated November 15, 2012, from David Pratt, Assistant Director, Transportation Safety, to Excalibur. The letter included 2012 Annual Safety Report forms, with instructions for filing the Annual Safety Report and paying regulatory fees by December 31, 2012, and a description of the consequences for not filing a timely report and paying regulatory fees. (7 pages)
3. Notice of Enforcement Action, dated January 7, 2013, from David W. Danner, Executive Director and Secretary, to Excalibur, advising the Company that its 2012 Annual Safety Report and regulatory fees were past due, and that financial penalties had begun accruing on January 7, 2013. (2 pages)
4. Letter dated January 11, 2013, from Kevin Williams, Excalibur, to the Commission, attaching three pages of its annual safety report, received January 14, 2013. (4 pages)
5. Email, dated January 22, 2013, from Rae Lynn Carnes, Commission Staff, to Kevin Williams, Excalibur, describing missing portion of annual safety report, and regulatory fees. (1 page)
6. Penalty Assessment TE-130198, dated March 4, 2013, from Gregory J. Kopta, Administrative Law Judge, to Excalibur in the amount of $1,800 for 18 violations of WAC 480-30-071 and WAC 480-30-076. (3 pages)
7. Letter, dated March 6, 2013, from Kevin Williams, Excalibur, in response to Penalty Assessment TE-130198, and requesting a hearing. (2 pages)
8. Penalty Assessment TE-110747, dated May 13, 2011, from Gregory J. Kopta, Administrative Law Judge, to Excalibur in the amount of $100 for violation of WAC 480-30-071. (3 pages)
9. Letter, dated May 17, 2011, from Kevin Williams, Excalibur, requesting mitigation of Penalty Assessment TE-110747. (1 page)
10. Commission Order 01, Order Cancelling Certificate of Excalibur Limousine, dated April 11, 2013, Docket TE-130506. (2 pages)
11. Declaration of Richard Smith, Division Lead, Transportation Safety, describing his communications with Kevin Williams, Excalibur, in November and December 2012, in connection with a safety compliance review. (2 pages)
12. Declaration of Lisa Wyse, Records Manager and Public Records Officer, authenticating the documents attached to the Declaration of Mathew Perkinson, as listed in items 2-10 above. (1 page)

Staff is prepared to file and serve these documents in advance of the brief adjudicative proceeding on April 26, 2013. Please advise if you wish Staff to do so.

Sincerely,

MICHAEL A. FASSIO

Assistant Attorney General

MAF:emd

cc: Excalibur Limousine, LLC d/b/a Seattle Green Limo