

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

In the Matter of a Penalty Assessment	)	DOCKET UT-101018
Against	)	
	)	ORDER 01
CSK Communications, Inc.,	)	
	)	ORDER ALLOWING
in the amount of \$100.	)	WITHDRAWAL OF
	)	MITIGATION REQUEST
.....	)	

1     **Penalty.** On June 30, 2010, the Washington Utilities and Transportation Commission (Commission) assessed a penalty in Docket UT-101018 in the amount of \$100 against CSK Communications, Inc. (CSK), for violation of WAC 480-120-382. This rule requires all competitively classified telecommunications companies to, among other things, complete and file with the Commission an annual report no later than May 1st of each year. The penalty assessment contained language advising CSK that it was required to act within 15 days of receiving the notice to either pay the amount due, request a hearing to contest the alleged violation, or request mitigation to contest the amount of the penalty. The Penalty Assessment was served on CSK by certified mail on June 30, 2010.

2     **Mitigation Request.** On July 6, 2010, CSK admitted the violation but asked that the penalty be reduced or waived because it did not owe any money. CSK asked that the Commission send it another blank annual report form so that the company could fill it out correctly. The Commission received the letter on July 8, 2010.

3     **Payment of Penalty.** On July 14, 2010, CSK submitted its annual report along with payment of \$100 in satisfaction of the penalty assessed.

4     Commission Staff filed a Response opposing CSK’s request for mitigation on July 27, 2010. Staff explained its belief that CSK wished to withdraw its mitigation request but that the company had not yet submitted a letter directly stating as much.

5     **Jurisdiction.** RCW 80.04.405 allows the Commission to consider remission or mitigation of penalties “upon written application therefore, received within fifteen days.” CSK’s application for mitigation was timely delivered to the Commission.

- 6 **Withdrawal of Mitigation Request.** On July 29, 2010, two days after Staff had submitted its response, CSK provided the Commission with a written notification that it was seeking to withdraw its request for mitigation.
- 7 **Commission Decision.** The Commission grants CSK Communications, Inc.'s request to withdraw the request for mitigation. The company has filed its annual report and paid the \$100 penalty imposed. Per the company's request, the application for mitigation is considered withdrawn and this matter shall be closed.
- 8 The Secretary has been delegated authority to enter this Order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Olympia, Washington, and effective August 9, 2010.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER  
Executive Director and Secretary

**NOTICE TO PARTIES:** This is an order delegated to the Executive Secretary for decision. Under WAC 480-07-904(3), you may seek Commission review of this decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least 14 days a listing of all matters delegated to the Executive Secretary for decision under WAC 480-07-904(1). You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.