Service Date: June 29, 2023

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, v. CENTURYLINK COMMUNICATIONS, LLC d/b/a LUMEN TECHNOLOGIES GROUP; QWEST CORPORATION; CENTURYTEL OF WASHINGTON, INC.; CENTURYTEL OF INTER ISLAND, INC.; CENTURYTEL OF COWICHE, INC.; UNITED TELEPHONE COMPANY OF THE NORTHWEST	DOCKET UT-210902 ORDER 04 INITIAL ORDER IMPOSING $923,000 PENALTY

BACKGROUND

1 On April 6, 2022, the Washington Utilities and Transportation Commission (Commission) issued a Complaint and Notice of Prehearing Conference (Complaint) concerning CenturyLink Communications, LLC d/b/a Lumen Technologies Group, Qwest Corporation, CenturyTel of Washington, Inc., CenturyTel of Inter Island, Inc., CenturyTel of Cowiche, Inc., and United Telephone Company of the Northwest (collectively Lumen or Company). The Complaint alleged violations of WAC 480-120-172(3)(a) governing involuntary discontinuance of telecommunications service.

2 On May 24, 2022, the Commission entered Order 01, Prehearing Conference Order, establishing a procedural schedule, including an evidentiary hearing on March 24, 2023.

3 On June 16, 2022, Commission regulatory staff (Staff)[1] filed a Motion for Partial Summary Determination of Lumen's Liability for Violations of WAC 480-120-172(3)(a)

[1] In formal proceedings such as this, the Commission's regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners' policy and accounting advisors do not discuss the merits of this proceeding with regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. *See* RCW 34.05.455.

(Staff Motion). The Company conceded that it suspended or disconnected service to 923 of its customers for nonpayment between March 23, 2020, and September 30, 2021. During that time, Governor Inslee's Proclamation 20-23.2 (Proclamation) prohibited all telecommunications providers in Washington from disconnecting any residential customers from telecommunications service due to nonpayment.[2]

4 On July 29, 2022, the Commission entered Order 03, Initial Order Granting Staff Motion for Partial Summary Determination; Denying Lumen Cross-Motion for Summary Determination; Denying Motion to Strike; Declining to Expand Scope of Proceeding or Issue Advisory Opinion on Jurisdiction (Order 03). Order 03 resolved the issue of Lumen's liability, leaving only the issue of penalty determination.

5 On March 13, 2023, at the request of Staff and Lumen, with no objection from the Public Counsel Unit of the Washington Attorney General's Office (Public Counsel, and together with Staff and Lumen, the Parties), the Commission issued a Notice Canceling Evidentiary Hearing and Notice of Deadline for Objections to Cross-Examination Exhibits, which canceled the hearing and set the matter for determination on a paper record.

6 On April 21, 2023, the Parties filed opening briefs, and on May 12, 2023, the Parties filed reply briefs.

7 Jeff Roberson, Assistant Attorney General, Tumwater, Washington, represents Staff. Adam L. Sherr, in house counsel, Seattle, Washington, and Donna L. Barnett, Perkins Coie LLP, Bellevue, Washington, represent Lumen. Lisa W. Gafken, Assistant Attorney General, Seattle, Washington, represents Public Counsel.

8 Lumen argues that the Commission should not penalize the Company for what it classifies as an inadvertent error affecting a small percentage of Lumen customers. Alternatively, Lumen advocates that at most the Commission should assess a minimum $100 penalty per violation for a total penalty of $92,300 and should consider suspending any such penalty. Lumen provided the testimony of Peter J. Gose to support its position. Gose's testimony details the steps that Lumen took to remove Washington customers from the list of accounts to be disconnected or suspended, the complications that caused

---

[2] Wash. Office of the Governor, Am. Proclamation 20-23.2, *Ratepayer Assistance & Preservation of Essential Services* (2020), https://www.governor.wa.gov/sites/default/files/proclamations/20-23.2%20-%20COVID-19%20Ratepayer%20Assistance.pdf.

the disconnections and suspensions that occurred, and the steps the Company took to remedy the violations.

9 Staff and Public Counsel argue that the Commission should penalize Lumen the statutory maximum $1,000 per penalty for its admitted failure to fully abide by the Proclamation, for a total penalty of $923,000. Staff offered the testimony of Bridgit Feeser in support of its position. Feeser's testimony discusses Staff's evaluation of the 11 factors that the Commission considers when determining the appropriate penalty to assess for public service law violations, per the Commission's Enforcement Policy Statement issued on January 7, 2013, in Docket A-120061 (Policy Statement) as they apply to Lumen's violations. Public Counsel offered the response testimony of Corey J. Dahl in support of its position. Dahl's testimony also applied the Policy Statement factors to the facts of this case.

DISCUSSION

10 The Proclamation expressly prohibited all telecommunications providers in Washington from disconnecting any residential customers from telecommunications service due to nonpayment. As we determined in Order 03, Lumen violated WAC 480-120-172(3)(a) when it suspended or disconnected the telecommunications service of 923 customers during the time the Proclamation was in effect. All that is left for us to determine is the appropriate penalty to assess for these violations. The Parties, in their briefs, appropriately addressed in their arguments the 11 factors listed in the Policy Statement for the Commission to consider when determining the appropriate penalty amount. We will evaluate each factor here in turn.

1. How serious and harmful the violation is to the public.

11 These violations are both serious and harmful to the public. Lumen concedes that even one disconnection would be "important and problematic."[3] In this case, 923 individual customers were unlawfully disconnected from service during a time when the Governor of Washington determined that telecommunication service is an essential service, and that maintaining access to such service was essential to protect the health and welfare of Washington residents.

[3] Lumen Opening Brief at ¶18.

12 Lumen suggests that we consider, when evaluating this factor, the large percentage of customers that were *not* disconnected during the time the Proclamation was in effect. This comparison does not in any way alter our assessment of the impact on the businesses, households, and individuals who were deprived of their means of connecting with employers, loved ones, and emergency services during a global health crisis as a result of Lumen's failure to abide by the Proclamation, and whose predicament is the focus of this factor. We are thus persuaded that the first factor weighs heavily in favor of a stringent penalty.

2. Whether the violation is intentional.

13 Lumen contends that the violations were unintentional. The Company states that for the duration of the Keep America Connected (KAC) pledge, Lumen was able to fully suppress disconnections in its entire service area.[4] When the KAC expired, Lumen resumed its regular disconnection routines, running "custom scripts" for Washington that required individual, manual intervention by billing agents to interrupt the disconnections.[5] Lumen asserts that its execution of this process shows that it fully intended to abide by the Proclamation.

14 Staff and Public Counsel argue that for the suspensions, at least, we should find that Lumen acted with intent. Staff states that during the course of the investigation, Lumen asserted that suspensions were not covered by the Proclamation, and that therefore it was allowed to suspend service. But Lumen's actions in attempting to interrupt suspensions as well as disconnections convinces us that it intended to prevent suspensions of service in Washington.

15 We are also convinced, however, that Lumen's clear priority was to resume disconnections and suspensions to the full extent it was permitted by law and to interpret the Proclamation as narrowly as possible. In its eagerness to involuntarily disconnect customers in states that had not enacted local protection, it executed an ad hoc, manual, admittedly flawed system to prevent such disconnections in Washington. The system had no secondary or back-up check on whether such disconnections complied with the Proclamation. We believe that, looking at the evidence overall, the record shows that Lumen, at a minimum, was negligent in its attempted compliance with the Proclamation. While that does not rise to the level of intentional violation, we are still persuaded that

---

[4] Gose, Exh. PJG-1T at 7:21-22.

[5] *Id.* at 8:2-9.

Lumen did not take adequate steps to comply with the Proclamation. We thus find that this factor does not weigh heavily in either direction.

3. Whether the Company self-reported the violation.

16 The Company did not self-report the violation. The Company appears to have had no compliance system in place to confirm the validity of its disconnections and so Lumen only became aware of those disconnections when Staff requested that Lumen prepare, and provide Staff with, a list of disconnections performed during the time the Proclamation was in effect.

17 Lumen states that "while Staff's general data request triggered [Lumen]'s internal inspection, [Lumen] discovered the disconnections, not Staff, and [Lumen] reported the disconnections to Staff as soon as it became aware of them."[6] Lumen concedes that its reaction to Staff's request does not rise to the level of self-reporting contemplated by this factor, but that because no one had been aware of any disconnections until it discovered them and reported them, this factor should counsel leniency. We are not persuaded.

18 Staff initiated an investigation into any and all disconnections made in violation of the Proclamation, and Lumen did what it was required to do to respond to Staff's data request. The Company did not spontaneously perform an internal compliance check or routinely confirm the legality of the disconnections it had performed during the time the Proclamation was in effect. Staff asked the question and Lumen responded. As Staff states, "Under that logic, the Commission could never impose a heavy penalty unless a company failed to report violations that Staff was already aware of through means independent of the company."[7] That result is neither desirable nor logical.

19 Lumen's response to Staff's direct request for information was not the unprompted self-reporting contemplated by this factor but was the required response that is the baseline for responding to a regulatory agency request. This factor thus weighs in favor of assessing a large penalty.

4. Whether the Company was cooperative and responsive.

20 Both Staff and Lumen state that the Company was cooperative and responsive to Staff during the investigation. Public Counsel claims that Lumen was not cooperative and

---

[6] Lumen Opening Brief, at ¶27.

[7] Staff Initial Brief at ¶18.

asserts that Lumen failed to timely respond to Staff's data request and was minimally cooperative.[8] As Lumen repeatedly states, Public Counsel was not involved in the investigation. On this issue, we are more persuaded by the position of Staff, who performed the investigation and contends that Lumen was both cooperative and responsive during the course of the investigation. This factor thus weighs in favor of leniency.

5. Whether the Company promptly corrected the violations and remedied the impacts.

21 The Company states that as soon as it became aware of the disconnections, it "reached out to affected customers to offer reconnections free of any non-recurring charges."[9] Only 10-15 percent of the affected customers accepted reconnection. Staff and the Company assert that this reaction to discovery of the violations was satisfactory and warrants leniency.

22 Public Counsel, on the other hand, believes that Lumen should have automatically reconnected all disconnected customers. Lumen claims that such involuntary reconnection would have been illegal "slamming," *i.e*., the provision of service without customer authorization, and was therefore not a viable option. The legality of any hypothetical reconnections is outside the scope of this proceeding, but Lumen does not cite, nor are we aware of, any Commission or Federal Communications Commission determination that slamming includes resuming service to customers whose service was erroneously suspended or disconnected. Nor does Lumen provide any evidence that it sought guidance from the Commission on whether the Company could lawfully resume service to such customers without first seeking their consent. At a minimum, therefore, Lumen did not take all reasonable actions it could have taken to correct the violations.

23 The parties focus their arguments and testimony on the nature and quality of the Company's reaction to discovery of the violations and whether it was a prompt and correct response, and less on whether the Company actually remedied the impacts. We find that because of the nature of the violations, the impact was for the most part irremediable by the time of discovery. The affected customers were without telephone service during a critical period, and we can only speculate about the economic and personal impact that may have caused. The fact that only 10-15 percent of customers

---

[8] Public Counsel Opening Brief at ¶19.

[9] Gose, Exh. PJG-1T at 9:4-5.

accepted reconnection when the Company offered that option is likely because many, if not most, of the affected customers were forced to scramble for other permanent telecommunications options. For 85-90 percent of the affected customers, no correction or remedy for the violations was actually provided, and for the minority that accepted Lumen's offer, the impact of the time they were without service remains unaddressed. We simply cannot measure the impact of the violations on the affected customers, and no post-discovery actions by Lumen could have remedied the harm.

24 We find that Lumen did not adequately correct the violations and that the very nature of the violations effectively made them irremediable. Therefore, this factor weighs in favor of the maximum penalty.

6. The number of violations.

25 Lumen acknowledges that it illegally disconnected 923 customers. It would again have us consider the much larger number of customers it would normally have disconnected during the period of the Proclamation but did not. Both Staff and Public Counsel assert that by any measure, 923 is a significant number of violations.

26 We agree with Staff and Public Counsel. The Company illegally disconnected nearly a thousand customers during a public health crisis. The number of other customers whose disconnections were successfully prevented speaks more to the size of the Company and nature of its operations than whether the number of violations is significant. When the Commission evaluates the number of violations, it considers the absolute number, not the greater potential for unrealized harm. The factor that evaluates the size of Company, factor 11, considers the Company size in relation to size of the penalty, not the number of violations. We thus find that this factor weighs heavily in favor of stern enforcement and penalty.

7. The number of customers affected.

27 At least 923 customers were directly affected by the 923 violations. Some of these accounts may have been family or business accounts, so the count may be even higher. Here also, Lumen would have us consider this number "in perspective."[10] Lumen asserts that it "typically disconnects over 500 residential customers and suspends another 1,500 residential customers in Washington *per month*," and that we should therefore consider

[10] Lumen Opening Brief at ¶36.

the nearly 1,000 affected customers as a small percentage that "slipped through the cracks."[1112] As stated previously, we do not weigh the realized harm to actual customers against the unrealized harm that Lumen could have caused. Per the Policy Statement, "[t]he more customers affected by a violation, the more likely the Commission will take enforcement action."[13] There is no discussion of relativity. Further, as Staff aptly states, "[b]y Lumen's logic, if a larger and a smaller utility commit the same number of violations, the smaller utility's violations will always be more culpable, in spite of the fact that the larger utility is theoretically better funded and more sophisticated. That cannot be the law."[14]

28 It cannot and it is not. The Commission considers the absolute number of customers affected, and 923 is significant. This factor thus weighs in favor of a heavy penalty.

8. The likelihood of recurrence.

29 Lumen argues that because the Proclamation is no longer in effect, it is impossible for repeat violations to occur, and that such impossibility should weight this factor towards leniency. The Company also asserts that the Commission's policy that penalties are primarily a tool to provide an incentive for future compliance would render a penalty pointless and unnecessary under the circumstances. Staff and Public Counsel argue that the Company has shown no intent to shore up the cracks in its disconnection prevention process in the event that another, similar disconnection moratorium occurs. They argue that since the Company still provides telecommunication services in Washington and regularly performs suspensions and disconnections, it is certainly possible that a future similar moratorium on disconnections might arise and Lumen's process would still be flawed, making repeated similar violations likely. Lumen counters that violations of a future hypothetical moratorium or prohibition on disconnections would not give rise to "repeat" violations, but any violations of such hypothetical moratorium would be new violations of a different order.

30 We are not convinced by Lumen's assertion that any future illegal disconnections would not be repeat violations and should not be considered as a possible recurrence. The Policy Statement's actual language states that, "[i]f the [C]ompany has not changed its practices

---

[11] *Id.*

[12] *Id. at* ¶9.

[13] Policy Statement at ¶15.

[14] Staff Initial Brief at ¶23.

or if the violations *are repeat violations* . . . the Commission will be more likely to take an enforcement action."[15] The reference to repeat violations is in the context of the violations at issue being repeat violations. As to future conduct, the Policy Statement language considers only if the company has changed its practices, which Lumen has not. It still regularly performs disconnections and suspensions and has offered no evidence that it has made sufficient improvements to its program to prevent those disconnections or suspensions in the event that Washington again requires it. Additionally, any future violation may not be a repeat violation of the Proclamation, but it would be a repeat violation of WAC 480-120-172(3)(a).

31 At the same time, however, we cannot ignore that at the current time repeat violations are not possible and that the Commission's main interest in any enforcement action is compliance with the current law and Commission rules. We have little confidence that should a similar situation arise, we would not be faced with a similar and highly concerning "small number of human errors" on Lumen's part, but any situation where such errors would be unlawful is purely hypothetical and cannot be a sound basis for a stringent penalty.[16] Further, these violations, though numerous, are first time violations that the Company was not aware of before Staff's investigation. We thus find that this factor is neutral.

9. The Company's past performance regarding compliance, violations, and penalties.

32 Both Staff and Public Counsel argue that Lumen's compliance history weighs strongly in favor of a heavy penalty, citing several past Commission dockets wherein Lumen was found to have committed regulatory violations and incurred penalties, some of them significant. Lumen acknowledges that it has been the subject of a number of previous complaints and investigations, argues simply that it does not believe its past compliance performance is sufficiently relevant to the circumstances in this case to call for the maximum penalty.

33 We agree with Staff and Public Counsel that Lumen's history of compliance violations weighs against the Company. These particular violations differ in nature from the past violations, as they involve a temporary legal requirement that required fast adaptation, rather than statutory or regulatory requirements that the Company had ample opportunity

---

[15] Policy Statement at ¶15 (emphasis added).

[16] Gose, Exh. PJG-1T at 9:18, Exh. PJG-3T at 6:8, and Lumen's Opening Brief at ¶53.

to conform to, and so we find that this factor, while arguing against leniency, carries less weight.

10. The Company's existing compliance program.

34 Lumen argues that the existence of any current compliance program is irrelevant to the issue because the Company is no longer required to comply with the Proclamation. Staff states that it is not aware of any existing compliance program but allows that the testimony of Lumen's witness regarding its existing compliance program is credible. Public Counsel argues that Lumen misunderstands the preventative purpose of a compliance program and so has failed to put an adequate compliance system in place to prevent future violations of Washington regulatory requirements.

35 While Lumen is of course correct that the requirements of the Proclamation have expired, we note that during the time when those requirements were in place, Lumen does not appear to have had any system in place to check for compliance, as shown by its failure to identify the violations until prompted by Staff. We agree with Public Counsel that a proper compliance program is a preventative one. When discussing the possibility of a future similar moratorium on disconnections, the Company states that it is prepared to implement the same program that resulted in the current violations, and that "lessons learned from the small number of human errors in implementing the manual processes have been reviewed and corrected and the [C]ompany would be even more careful in any future circumstances."[17] The Company continues to emphasize that human error was the root cause of the violations without appearing to accept responsibility for implementing a program that allowed for the possibility of such human error without any compliance assurance program in place. This does not provide much cause to expect more from the Company in other scenarios requiring compliance with any state-wide regulatory requirements at odds with Lumen's existing procedures.

36 However, because of the nature of the Proclamations and the fact that any current compliance program that may cover the current violations would be moot, we agree with Lumen that this factor carries little weight on the issue of a penalty in this case. We also find Gose's testimony credible and accept for now Lumen's assertion that it has learned from its mistakes and that if the Company's disconnection procedures are needed again,

---

[17] Gose, Exh. PJG-3T at 6:10.

the Company will not experience the same cracks in its system. We thus find that this factor does not weigh strongly either way.

11. The size of the Company.

37 Both Staff and Public Counsel simply assert that Lumen is a large company with significant revenue, and that this factor therefore does not call for the Commission to exercise leniency out of fear of a disproportionate penalty.

38 Lumen argues that when considering this factor, we should consider the complex burden of pandemic rules and regulations on a multi-jurisdictional company rather than size alone. We do not believe those considerations are relevant to this factor. The Policy Statement refers to the danger of penalties that are disproportionate compared to those imposed on similarly situated companies, or disproportionate to the size of a company. This proportional analysis does not align with Lumen's argument that we should mitigate the size of any penalty relative to the complexity of its responsibilities. A large company has large responsibilities and a large customer base. The larger the company, the more likely that it operates in multiple jurisdictions, so those features do not counterbalance each other. Further, as Staff points out, Lumen's argument would "have the Commission treat large, sophisticated interstate operations more leniently than it treats small intrastate operations."[18] This would certainly be contrary to the purpose of this factor.

39 Lumen does not offer any argument to counter Staff and Public Counsel's assertion that the penalty would not be disproportionate to the Company's size. Neither does Lumen present evidence of any similarly situated companies facing similar penalties that were treated disproportionately. To the contrary, the size of the Company counsels for a significant penalty to ensure that it is meaningful. We thus find that this factor weighs in favor of the maximum penalty.

12. Suspension

40 Lumen suggests that the Commission, should it decide to impose a penalty, suspend some or all of that penalty on the condition that it commit no repeat violations. It argues that a suspended penalty would provide a sufficient incentive for the Company to prevent any repeat violations in the future, which is the Commission's goal in any enforcement action. Because the Proclamation is no longer in effect, the ultimate result that Lumen

---

[18] Staff's Initial Brief at ¶35.

undoubtedly foresees would be to escape a penalty entirely without any active compliance or effort on the part of the Company. We find that this outcome would be at odds with the intent of the Policy Statement.

41 To aid in determining whether to suspend a portion of a penalty, the Policy Statement provides five factors to consider:

1. Whether this is a first-time penalty for this or a similar violation.

2. Whether the company has taken specific actions to remedy the violations and avoid the same or similar violations in the future. Examples include purchasing new technology, making system changes, or training company personnel.

3. Whether the company agrees to a specific compliance plan that will guarantee future compliance in exchange for suspended penalties.

4. Whether Staff and the company have agreed that Staff will conduct a follow-up investigation at the end of the suspension period and that if a repeat violation is found, the suspended penalties are re-imposed.

5. Whether the company can demonstrate other circumstances exist that convince the Commission to suspend the penalties.[19]

42 Although these are first-time penalties for this violation, we find that the bulk of the factors weigh against suspension. First, as we discussed above, we believe that that these violations were irremediable, and the Company has stated that if a similar disconnection moratorium were to arise in the future it would implement essentially the same program it used when the violations occurred. Additionally, the Company has neither agreed to any specific compliance plan or worked with Staff to establish a suspension period and follow-up plan.[20] And finally, Lumen has not presented any convincing circumstances that would otherwise support suspension of a portion of the penalty.

---

[19] Policy Statement at ¶20.

[20] The fourth factor is less relevant because the actions that gave rise to the violations would no longer be unlawful.

DECISION

43 As discussed in detail above, the majority of the factors we are bound to consider in any enforcement action persuade us to impose the maximum penalty of $1,000 per violation, for a total penalty of $923,000. We find that this penalty is reasonable in light of the number, nature, and severity of the violations as well as their impact on customers. While the Company was cooperative during the investigation and the chance of recurrence is low, we find that the penalty is appropriate when considered with the Company's size and history of regulatory compliance.

44 We also find that suspension of any portion of the penalty would not be appropriate and therefore will not suspend the penalty.

FINDINGS AND CONCLUSIONS

45 (1) The Commission is an agency of the State of Washington, vested by statute with authority to regulate rates, rules, regulations, practices, and accounts of public service companies, including telecommunications companies.

46 (2) CenturyLink Communications, LLC d/b/a Lumen Technologies Group, Qwest Corporation, CenturyTel of Washington, Inc., CenturyTel of Inter Island, Inc., CenturyTel of Cowiche, Inc., and United Telephone Company of the Northwest are public service companies regulated by the Commission, providing service as telecommunications companies.

47 (3) Lumen involuntarily disconnected or suspended telecommunications service to 923 residential customers from March 23, 2020, through September 30, 2021, in violation of WAC 480-120-172(3)(a).

48 (4) The Commission should impose and not suspend a penalty of $923,000 for 923 violations of WAC 480-120-172(3)(a).

ORDER

THE COMMISSION ORDERS that

49 (1) The Commission assesses a $923,000 penalty against CenturyLink Communications, LLC d/b/a Lumen Technologies Group, Qwest Corporation, CenturyTel of Washington, Inc., CenturyTel of Inter Island, Inc., CenturyTel of Cowiche, Inc., and United Telephone Company of the Northwest for 923

violations of WAC 480-120-172(3)(a). The penalty is due and payable within 10 days of the effective date of this Order.

Dated at Lacey, Washington, and effective June 29, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ *Gregory J. Kopta*
GREGORY J. KOPTA
Administrative Law Judge

NOTICE TO PARTIES

This is an initial order. The action proposed in this initial order is not yet effective. If you disagree with this initial order and want the Commission to consider your comments, you must take specific action within the time limits outlined below. If you agree with this initial order, and you would like the order to become final before the time limits expire, you may send a letter to the Commission, waiving your right to petition for administrative review.

WAC 480-07-825(2)(a) provides that any party to this proceeding has 20 days after the entry of this initial order to file a petition for administrative review (Petition). Section (2)(b) of the rule identifies what you must include in any Petition as well as other requirements for a Petition. WAC 480-07-825(2)(c) states that any party may file an answer (Answer) to a Petition within 10 days after service of the petition.

WAC 480-07-830 provides that before the Commission enters a final order any party may file a petition to reopen a contested proceeding to permit receipt of evidence essential to a decision, but unavailable and not reasonably discoverable at the time of hearing, or for other good and sufficient cause. The Commission will not accept answers to a petition to reopen unless the Commission requests answers by written notice.

RCW 80.01.060(3) provides that an initial order will become final without further Commission action if no party seeks administrative review of the initial order and if the Commission fails to exercise administrative review on its own motion.

Any Petition or Response must be electronically filed through the Commission's web portal as required by WAC 480-07-140(5).