

[Service Date September 19, 2006]

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

In re Penalty Assessment No. UT-060977)	DOCKET UT-060977
)	
TOLEDO TELENET LONG DISTANCE)	ORDER 10
COMPANY and TOLEDO TELEPHONE)	
COMPANY, INC.)	
)	ORDER DISMISSING REQUEST
)	FOR HEARING
.....)	

1 **Penalty:** On July 5, 2006, the Washington Utilities and Transportation Commission (Commission) assessed a penalty in the amount of \$100 each against Toledo Telenet Long Distance Company (Toledo Telenet) and Toledo Telephone Company, Inc. (Toledo) for one violation of the Washington Administrative Code (WAC) 480-120-382 which requires competitive telecommunications companies to file annual reports with the Commission no later than May 1 of each year.

2 **Factual Background:** On July 19, 2006, Toledo Telenet and Toledo each filed a petition for mitigation and request for hearing. On July 25, 2006, the Commission entered an Order that, among other things, rescinded the penalty assessment against Toledo Telenet and Toledo.

3 **Commission Decision:** Having rescinded the penalty assessment against Toledo Telenet and Toledo, there are no material facts in dispute that warrant a hearing. Accordingly, the request for hearing filed by Toledo Telenet and Toledo is rendered moot and is dismissed.

4 It is so ordered.

DATED at Olympia, Washington, and effective September 19, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

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.