



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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October 12, 2017

Steven V. King, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Big Woody Limos, LLC*
Failure to Comply with the Stipulated Conditions Set Forth in Order 02
Docket TE-170027

Dear Mr. King:

On February 8, 2017, the Washington Utilities and Transportation Commission (Commission) issued Penalty Assessment TE-170027 against Big Woody Limos, LLC (Big Woody Limos or Company) in the amount of \$1,500 for ten critical violations of Washington Administrative Code (WAC) 480-30-221 Vehicle and Driver Safety Requirements, which requires charter and excursion carriers to comply with Title 49 Code of Federal Regulations (CFR) Part 382 – Controlled Substances and Alcohol Use and Testing, Part 391 – Qualification of Drivers, and Part 395 – Hours of Service of Drivers.

On March 14, 2017, Big Woody Limos filed with the Commission an application for mitigation of penalties. Big Woody Limos admitted the violations, provided no explanation of the corrective action steps taken by the Company, but asked that the penalties be reduced. On March 16, Commission staff (Staff) filed a response recommending the Commission grant the Company's request for mitigation, in part, reducing the assessed penalty from \$1,500 to \$1,000.

On March 27, 2017, the Commission issued Order 01 denying the Company's request for mitigation of the \$1,500 penalty. The order states that Big Woody Limos must either pay the \$1,500 penalty or file jointly with Staff a proposed payment arrangement no later than April 7, 2017.

On April 19, 2017, the Company contacted Staff and proposed payment arrangements of \$150 per month for 10 consecutive months. Big Woody Limos agreed that if it failed to pay any installment by the due date, or failed to pay at least the minimum monthly installment by the due date, the entire remaining balance would become immediately due and payable without further

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Commission order. On April 20, Staff filed a response supporting the proposed payment arrangements and recommended that the Commission grant the arrangements.

On April 25, 2017, the Commission issued Order 02 granting the proposed arrangements. The Commission ordered that: 1) the \$1,500 penalty is due and payable to the Commission in installments as set out in the order, 2) if Big Woody Limos failed to pay any installment by 5 p.m. on the date it is due, the unpaid balance would immediately become due and payable without further Commission order, and 3) if Big Woody Limos failed to pay any portion of the assessed penalty by the due date, the Commission may cancel the Company's charter and excursion carrier certificate by order in Docket TE-170027.

On July 12, 2017, Big Woody Limos voluntarily cancelled its charter and excursion carrier certificate. At 5 p.m. on August 7, the Company failed to pay the fourth installment as set out in Order 02. Because Big Woody Limos failed to comply with the conditions set out in Order 02, Staff recommends that the unpaid balance of \$1,050 become immediately due and payable.

If you have any questions, please contact Jason Hoxit, Compliance Investigator, Consumer Protection, at 360-664-1320, or by e-mail at JHoxit@utc.wa.gov.

Sincerely,



Bridgit Feeser
Assistant Director, Consumer Protection