

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORT COMMISSION**

**In the Matter of the Penalty Assessment Against  
TRI CITIES LIMO LLC**

**DOCKET TE-190996**

**AFFIDAVIT IN RESPONSE TO  
PENALTY ASSESEMENT**

**AFFIDAVIT OF MELANIE WEBER**

I offer this affidavit in support of my application for mitigation of the above reference penalties assessed against Tri Cities Limo.

Specifically, regarding mitigation of the finding of seventeen violations of WAC 480-30-191 for a total penalty amount of \$1,700 I offer the following:

1. When we first began operating the limo bus at issue, we were not aware that the minimum insurance required was \$5,000,000 for sixteen passengers or more. Once we were informed by our insurance agent, we ensured that we stopped taking sixteen or more passengers (including the driver) in the limo bus. We believed that this put us in compliance. Only after receiving the notice of the failed audit did we become aware that the issue was capacity rather than actual passengers transported. Between February 23, 2019 and July 20, 2019, we did not transport sixteen or more passengers (including the driver).
2. These violations were made based upon a misunderstanding of the requirements. We made good faith efforts to comply with the regulations as we understood them. Upon inspection and notice of our misunderstanding, we terminated operations completely while we appealed the decision.
3. Since losing our appeal of the failed safety audit, and after consideration of the violations found, costs of continued operation in compliance, and overall profitability of the business, we have ceased operations effective December 6, 2019, and we have no intention of resuming operations. In fact, upon resolution of this notice of penalties the

we are in the process of completely closing the business permanently. For that reason, there is zero likelihood of any future violations.

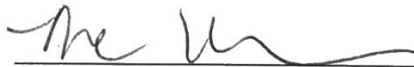
Regarding the remaining violations, we seek mitigation because we were unaware of the requirements that resulted in these violations. The UTC auditor provided a very useful compliance binder after the audit was complete. This binder gave us a great deal of knowledge regarding compliance and we believe most, if not all, of the violations found would have been avoided if we had this tool available to us sooner. We also acted promptly and made corrections to address compliance within one week of the audit. Lastly, as stated above, our business has ceased operations and is in the process of closing permanently; therefore, there will be no potential for future violations.

Lastly, the financial toll of closing this business unexpectedly has been substantial. The business presently has less than \$1,000 in the bank. Once all assets are liquidated and liabilities are paid, this business will have been a financial loss.

Based upon the above, we ask respectfully that all the penalties be reduced by fifty percent, for a total penalty amount of \$1,250. We did not operate with any intention to violate regulations and operated in good faith based on our understanding of the regulations. Unfortunately, we were unaware of many requirements that resulted in these findings.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT

Respectfully submitted this 12<sup>th</sup> day of March, 2020.



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Melanie Weber  
Tri Cities Limo, LLC