

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of	DOCKET TE-161295
GO VIP LLC d/b/a GO VIP SEATTLE	ORDER 01
For a Certificate to Operate as a Charter Party and Excursion Service Carrier	INITIAL ORDER DENYING APPLICATION FOR AUTHORITY

BACKGROUND

- 1 On December 20, 2016, Go VIP LLC d/b/a Go VIP Seattle (Go VIP or Company) filed with the Washington Utilities and Transportation Commission (Commission) an application for authority to operate as a charter party and excursion service carrier in Washington (Application) under Revised Code of Washington (RCW) 81.70 and Washington Administrative Code (WAC) 480-30.
- 2 On April 4, 2017, the Commission issued a Notice of Intent to Deny Application for Certificate and Notice of Opportunity for Hearing (Notice) resulting from Commission staff's (Staff) review and investigation of the Application. The Notice included the following allegations: (1) the applicant, Steve Valentinetti, was listed as both the owner and manager of AMI Coaches, LLC (AMI Coaches), a company that was placed out of service by the Federal Motor Carrier Safety Administration (FMCSA) following a 2013 audit that led to an unsatisfactory safety rating; (2) Mr. Valentinetti was listed as both the owner and manager of Airline Shuttle, Inc. (Airline Shuttle), a company that was placed out of service by the FMCSA following a 2014 audit that led to an unsatisfactory safety rating; and (3) based on the common ownership of Go VIP and these companies, it appears Mr. Valentinetti incorporated Go VIP to conceal a history of noncompliance and avoid compliance with orders forbidding AMI Coaches and Airline Shuttle from operating. The Notice provided Go VIP the opportunity to request a hearing to contest these allegations by April 18, 2017.
- 3 On April 14, 2017, Go VIP filed with the Commission a Request for Hearing. The Commission noticed the matter as a brief adjudicative proceeding, accommodated Mr. Valentinetti's request for an expedited schedule, and convened an evidentiary hearing before Administrative Law Judge Rayne Pearson on April 20, 2017, at 9 a.m.

- 4 At the hearing, Staff presented documentary evidence and the testimony of motor carrier supervisor Mathew Perkinson. Mr. Valentinetti and Doug Ferguson, insurance broker, testified for the Company.
- 5 Staff explained in its opening statement that Mr. Valentinetti previously operated two companies that were placed out-of-service by the FMCSA following safety audits that resulted in unsatisfactory safety ratings.
- 6 The FMCSA cited AMI Coaches for the following violations, which resulted in an unsatisfactory safety rating: (1) failure to implement an alcohol and controlled substance testing program, (2) knowingly allowing or authorizing an employee to operate a vehicle carrying passengers without a passenger endorsement, (3) making a fraudulent or intentionally false entry on an annual vehicle inspection form, (4) permitting drivers to make trips before receiving a negative pre-employment drug and alcohol test, (5) permitting drivers to make trips without valid medical certificates, (6) failure to obtain driving abstracts for company drivers, (7) failure to make records of duty status, and (8) operating motor vehicles that were not periodically inspected as required. AMI Coaches was placed out of service on December 29, 2013.
- 7 The FMCSA cited Airline Shuttle for the following violations, which also resulted in an unsatisfactory safety rating: (1) failure to implement an alcohol and controlled substance testing program, (2) failure to maintain proof of insurance at its principal place of business, (3) operating a passenger carrier without required levels of insurance, (4) failure to make records of duty status, (5) failure to maintain driver qualification files, (6) failure to keep vehicle inspection and maintenance records, (7) failure to require drivers to prepare daily vehicle inspection reports, (8) operating motor vehicles that were not periodically inspected as required, (9) failure to update its MCS-150 form, and (10) operating motor vehicles without the required marking. Airline Shuttle was placed out of service on April 25, 2014.
- 8 Mr. Perkinson testified that it appears Mr. Valentinetti attempted to avoid disclosing the compliance history of AMI Coaches and Airline Shuttle on his Application. Mr. Perkinson noted that Go VIP's application to the FMCSA incorrectly states that the Company does not have any common ownership, common management, or familial relationships with any entities that have been regulated by the FMCSA in the past three years.
- 9 Mr. Valentinetti testified that he ultimately believes the FMCSA placed AMI Coaches and Airline Shuttle out of service because it received false information from a Commission employee who discriminated against Mr. Valentinetti and his employees on

the basis of race. Mr. Valentinetti stressed that he has a 24-year history of operating various charter and excursion companies with no accidents, and disputes the violations cited by the FMCSA in both of its safety audits.

- 10 Mr. Valentinetti further testified that neither the Commission nor the FMCSA had jurisdiction over Airline Shuttle at any point in time. Accordingly, Mr. Valentinetti argued, neither federal nor state safety regulations applied to Airline Shuttle's operations.
- 11 Mr. Valentinetti also denied that he attempted to conceal his compliance history on his FMCSA application, noting that he used the same name, address, and telephone number for Go VIP as those on file for AMI Coaches and Airline Shuttle.
- 12 Mr. Ferguson testified that all of Mr. Valentinetti's companies have maintained required levels of insurance at all times, but admitted on cross examination that he could not verify whether Mr. Valentinetti maintained valid proof of insurance at his principal place of business, as required.
- 13 Staff recommends that the Commission deny Go VIP's Application. Staff believes that Mr. Valentinetti has a history of noncompliance with federal safety regulations, which demonstrates an inability or unwillingness to comply with applicable state laws governing motor carrier safety, and that approving the Application would not be in the public interest.
- 14 On April 27, 2017, Mr. Valentinetti filed with the Commission additional photos of his vehicle and a 14-page document entitled "WUTC Closing Statement" (Closing Statement). In his Closing Statement, Mr. Valentinetti further elaborates on his theory that the out-of-service orders the FMCSA placed on AMI Coaches and Airline Shuttle were the result of racial discrimination and a subsequent "cover up," and that Staff's recommendation that the Commission deny Go VIP's Application is retaliatory.¹ Mr. Valentinetti contends that the violations cited in the 2013 and 2014 safety audits were "knowingly false" and accuses a former Commission safety inspector of "looking for payment from AMI Coaches at the end of his dismal career thinking we are foreigners."²
- 15 Mr. Valentinetti goes on to dispute each individual violation cited in the 2013 and 2014 safety audits, and repeatedly alleges discrimination and differential treatment by the FMCSA, the Attorney General's Office, and the Commission.

¹ WUTC Closing Statement, p. 1.

² *Id.*, at p. 3.

- 16 Also on April 27, 2017, the Commission issued a Notice of Opportunity to Respond, allowing Staff to file a rebuttal statement by May 3.
- 17 On May 3, 2017, Staff filed a response to Go VIP's Closing Statement. In its response, Staff argues that the Commission should reject Mr. Valentinetti's discrimination allegations for a number of reasons. First, Staff argues that Mr. Valentinetti fails to make an evidentiary showing on the basic elements of a discrimination claim or otherwise prove that discrimination was a factor in Staff's recommendation that the Commission deny Go VIP's Application. Second, he fails to explain why Staff would retaliate against him or what Staff is allegedly covering up. Third, Staff argues that Mr. Valentinetti fails to make any credible showing of impropriety with regard to the involvement of the Attorney General's Office or other members of Commission Staff.
- 18 Fourth, Staff notes that Mr. Valentinetti spent much of his time contesting the violations found by the FMCSA, signaling his misunderstanding of the Commission's process related to his Application. Staff also disputes Mr. Valentinetti's claim that he has never been given an opportunity to address the violations found by the FMCSA. Finally, Staff argues that the record developed at hearing supports its finding that Mr. Valentinetti's former companies have a history of noncompliance, and that Go VIP's Application should be denied.
- 19 Jeff Roberson, Assistant Attorney General, Olympia, Washington, represents Commission Staff (Staff).³ Steve Valentinetti, Owner, Spanaway, Washington, represents Go VIP.

DISCUSSION AND DECISION

- 20 RCW 81.70.230(2) requires the Commission to issue a charter party or excursion service carrier certificate to any applicant that establishes proof of safety fitness and insurance coverage. WAC 480-30-121, which governs the application process for a charter party or excursion service carrier permit, provides that an applicant must be "fit, willing, and able to provide service to comply with state law and the safety and insurance requirements to receive a certificate." As the applicant, Go VIP bears the burden of proving that it is fit,

³ In adjudications the Commission's regulatory staff participates like any other party, while the Administrative Law Judge or the Commissioners make the decision. To assure fairness, the Commissioners and the presiding administrative law judge do not discuss the merits of the proceeding with regulatory staff or any other party without giving notice and opportunity for all parties to participate. *See* RCW 34.05.455.

willing, and able to conduct business as a charter party and excursion service carrier, and that issuing a permit to the Company is in the public interest.

21 The safety requirements referenced in WAC 480-30-121 are set out in WAC 480-30-221, which adopts by reference a number of the federal regulations in Title 49 of the Code of Federal Regulations (C.F.R.). As relevant to this matter, 49 C.F.R. Part 385.13(a)(1) provides that the FMCSA will issue an order placing out-of-service any carrier that receives an unsatisfactory safety rating. A carrier that has been placed out-of-service is prohibited from operating until such time as it requests and receives an upgraded safety rating based on evidence that it has taken appropriate corrective action, and that its operations currently meet applicable safety standards.

22 In addition, 49 C.F.R. Part 385.1005 provides that “two or more motor carriers shall not use common ownership, common management, common control, or common familial relationship to enable any or all such motor carriers to avoid compliance, or mask or otherwise conceal non-compliance, or a history of non-compliance, with statutory or regulatory requirements ... or with an order issued under such requirements.”

23 We address the evidence related to each of Staff’s allegations in turn.

24 **History of Compliance with Safety and Insurance Requirements.** The undisputed evidence demonstrates that both AMI Coaches and Airline Shuttle received unsatisfactory safety ratings and were placed out-of-service under Mr. Valentinetti’s control. The undisputed evidence also demonstrates that Go VIP proposes to engage in substantially the same business as that previously conducted by AMI Coaches, under the same management, and using the same vehicles and offices.⁴ Staff argues that Mr. Valentinetti’s compliance history – specifically, that companies within his control have twice been placed out-of-service and prohibited from further operations – demonstrates

⁴ At hearing, Mr. Valentinetti acknowledged that Go VIP proposes to provide the same service as both prior companies: “Go VIP plans on offering school services, airline flight crew, cruise ship transfers, which is similar.’ That’s true. We are going to do that. And those are services that are – that were previously done by both AMI Coaches and Airline Shuttle.” (Valentinetti, TR 24:7-12.) Mr. Valentinetti further acknowledged that Go VIP intends to operate from the same office using the same vehicles: “I used my address. We’re using the same vehicles.” *Id.*, at 24:16-17.

In his closing statement, Mr. Valentinetti again acknowledged that Go VIP proposes to provide the same service as AMI: “Go VIP would engage in substantially the same business that AMI did’ [presumably quoting the Commission’s Notice of Intent to Deny] YES, is that a problem? ... oh are we taking the white people’s work [sic].” WUTC Closing Statement, p. 11.

that Go VIP is unable or unwilling to comply with state safety and insurance requirements.

25 Mr. Valentinetti disputed the violations cited by the FMCSA in its 2013 and 2014 safety audits, yet admitted to nearly half of the violations in his testimony, as evidenced by the following statements:

- With respect to Airline Shuttle’s violation for failure to maintain driver qualification files: “I’m going to throw a bone to the UTC and say it wasn’t complete. The reason it wasn’t complete is because on my file I took a magic marker and blacked out the year I was born so my office staff didn’t know how old I was. And they said ‘oh, my god, look what you’ve done.’ And I said ‘well, whatever, write that violation then.’ So anyway, that one should be out.”⁵
- With respect to Airline Shuttle’s violation for failure to preserve records of duty status: “Again, we don’t save the gas receipts for it. We have a credit card slip, but we don’t have gas receipts.”⁶
- With respect to Airline Shuttle’s violation for failure to keep minimum records of vehicle inspection: “Did we have FMCSA come out and inspect our Airline Shuttle vehicle? No, we did not. That’s what that violation is. So that one should be out.”⁷
- With respect to Airline Shuttle’s violation for failure to require its drivers to prepare a driver vehicle inspection report: “No, Airline Shuttle doesn’t require our drivers to do that.”⁸
- With respect to AMI Coaches’ violation for allowing an employee to operate a commercial motor vehicle without a passenger endorsement: “Guess what? I’m going to give you another bone. That’s me. My ‘P’ endorsement ... So yes, we found that I personally somehow didn’t have a ‘P’ endorsement on my license.”⁹
- With respect to AMI Coaches’ violation for making a fraudulent or intentionally false entry: “One of [the buses] had a rusty exhaust tip ... so when the inspector came out, that tip was cut off, the old one was off, and the new one was sitting in our shop. So yeah, it wasn’t ready to roll down the road.”¹⁰

⁵ Valentinetti, TR 36:17-23.

⁶ *Id.*, at 37:16-19.

⁷ *Id.*, at 38:3-5.

⁸ *Id.*, at 38:8-9.

⁹ *Id.*, at 41:5-6;20-22.

¹⁰ *Id.*, at 42:8-22.

- With respect to AMI Coaches' violation for using a driver prior to receiving a negative pre-employment drug and alcohol test: "We hire drivers like myself. Right this second, I drive for Clover Park School District ... So our drivers come from there. First of all we know they have it. Second of all, we get a copy of their drug and alcohol test before they ever drive. So when you say that, that's right, we let a guy drive before AMI Coaches had a negative pre-employment test."¹¹
- With respect to AMI Coaches' violation for failure to maintain inquiries into driving records and failure to maintain driver qualification files: "That one, No. 6, is true."¹²
- With respect to AMI Coaches' violation for failing to preserve drivers' records of duty status for six months: "That's probably true."¹³

26 In addition to repeatedly contradicting his own claim that he "proved one by one the violations to be false,"¹⁴ Mr. Valentinetti failed to satisfactorily rebut Staff's argument that, because companies previously under his control have an extensive history of noncompliance that has yet to be corrected, Go VIP is unable to adequately demonstrate that it is fit to provide service or able comply with state safety and insurance requirements.

27 **Attempt to Conceal Compliance History.** The evidence presented at hearing shows that Airline Shuttle was placed out of service on April 25, 2014, and that Go VIP submitted its application to the FMCSA on December 20, 2016. On its FMCSA application, Go VIP indicated that it did not have any relationships involving common ownership, common control, or common management with any FMCSA-regulated entities within three years prior to the date the application was filed. Mr. Valentinetti testified that he did not intentionally attempt to conceal his relationship to Airline Shuttle or AMI Coaches, and insisted that "it has been 3 years," despite evidence to the contrary.¹⁵

28 Whether or not Mr. Valentinetti intentionally attempted to conceal his relationship to AMI Coaches and Airline Shuttle, his application contained a false statement insofar as it failed to disclose that Mr. Valentinetti owned and operated an FMCSA-regulated entity in the three years prior to the date of the application. This conduct, while not alone a basis

¹¹ *Id.*, at 43:10-22.

¹² *Id.*, at 44:10-11.

¹³ *Id.*, at 45:13-14.

¹⁴ WUTC Closing Statement, p. 6.

¹⁵ *Id.*, at p. 13.

for denying his Commission Application, speaks to his overall fitness. We turn now to that issue.

29 **Overall Fitness.** Mr. Valentinetti demonstrated a fundamental lack of integrity in this proceeding that establishes he cannot be trusted to comply with Commission regulations. As noted above, Mr. Valentinetti made multiple contradictory statements throughout the hearing concerning the violations cited by the FMCSA in the 2013 and 2014 safety audits. In addition, Mr. Valentinetti repeatedly stated he was denied the opportunity to request and receive an upgraded safety rating for either company.¹⁶ However, when directly asked by the administrative law judge whether he filed an appeal of either unsatisfactory safety rating, he stated, “Yes, your honor . . . You’re right. We filed an appeal.”¹⁷

30 Perhaps most concerning was Mr. Valentinetti’s adamant refusal to accept responsibility for the violations of either prior company, as demonstrated by the following statements:

- “The violations assessed against AMI Coaches and Airline Shuttle were false and it was an attack by the DOT. We’re here today to try and get Go VIP on the road and give the DOT an opportunity to back down from their reckless disregard for the law and personal attacks.”¹⁸
- “Go VIP, just like AMI Coaches, and just like Airline Shuttle, did everything correctly, is doing everything correctly, and just like the last two companies did also. We’re here again in this meeting today because of the false accusations against AMI Coaches and Airline Shuttle.”¹⁹
- “[The violations] haven’t happened, and there is not a final order on that.”²⁰
- “Steve Valentinetti stated under oath ‘the violations assessed by the DOT (WUTC & FMCSA) are knowingly false against AMI Coaches & Airline Shuttle’ who has never been given an opportunity to challenge or dispute, present witnesses, industry professionals or evidence against the false violations in the past 3 years. (Differential Treatment).”²¹

¹⁶ “[F]or three years we have not had a chance to address any of these violations at all. Ever.” (Valentinetti, TR 22:22-23.) “It says you have 45 days to dispute it. We didn’t have 45 days, we didn’t have any time.” *Id.*, at 23:12-13.)

¹⁷ *Id.*, at 116:16-18.

¹⁸ *Id.*, at 8:9-14

¹⁹ *Id.*, at 21:23-22:3

²⁰ *Id.*, at 25:18-19

²¹ WUTC Closing Statement, p. 1.

- “The GO VIP team wonders how far will the DOT continue to go of [sic] falsification of evidence and cover up to try to hide racial, deferential treatment mistakes of the WUTC management and staff.”²²
- “SV stated to the Commission that the violations and shut-down of Airline Shuttle was purely retaliation for making Civil Rights complaints as he proved one by one the violations to be false.”²³
- “Airline Shuttle had 9 violations all proven false including NO JURISDICTION.”²⁴
- “AMI Coaches had 24 total violations and 3 big violations like Drug & Alcohol, Insurance and Operating Authority all proven wrong.”²⁵
- “We were the best in the country and will never admit violations our 2 companies didn’t commit regardless of the treats [sic] of deportation or never being able to work again.”²⁶
- “We are ashamed of the WUTC for its selective enforcement, self-serving interpretations of law, continued in 2017, differential treatment.”²⁷

31 While both AMI Coaches and Airline Shuttle are eligible to receive upgraded safety ratings at any time, any requested upgrade must include a written description of corrective actions taken by the carrier, which necessarily requires Mr. Valentinetti to both acknowledge and accept full responsibility for the violations at issue. At the end of the day, Mr. Valentinetti’s refusal to hold himself accountable is the only factor preventing either AMI Coaches or Airline Shuttle from obtaining upgraded safety ratings from the FMCSA.

32 Mr. Valentinetti acknowledged as much at hearing, noting the following conversation with an FMCSA employee: “He said, ‘why don’t you admit all violations and we’ll turn it on and just move forward?’ and I said, ‘we’re never going to admit things we didn’t do.’”²⁸ And, “He said, ‘Steve, if you want them to turn this on – I’ll tell you a secret,

²² *Id.*, at p. 3.

²³ *Id.*, at p. 6.

²⁴ *Id.*, at p. 10.

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ Valentinetti, TR 52:2-5.

admit all the violations and they will turn it on.’ I said, ‘I’m not going to do that no matter what.’²⁹

33 Mr. Valentinetti also refuses to accept that Airline Shuttle’s operations were subject to FMCSA oversight despite repeatedly being advised that Airline Shuttle was required to follow federal motor carrier safety regulations.³⁰

34 Finally, Mr. Valentinetti made numerous demeaning statements about both Commission and FMCSA Staff, as follows:

- “We’ve had drug and alcohol testing before there was an FMCSA, before you people knew what it was, before most of you probably had jobs.”³¹
- “I’m not even going to allow Mr. Perkinson, who is naïve and nice, to say that we have a history of noncompliance without addressing it.”³²
- “So what I’m saying is I want you to do your own work. Don’t adopt Foster. Don’t adopt the feds. You check yourself. That’s what I’m asking this group to do. You’re hanging on to a leg that you don’t know – you just really don’t know what’s coming. That’s not a threat, you just don’t get it.”³³
- “Our international office staff knows the CFR’s & USC’s better than the DOT investigators. 24 years accident free company doesn’t happen by accident. Our team laughs at the insinuation that the DOT could teach us anything about safety even though we politely listen.”³⁴

35 Overall, Mr. Valentinetti’s statements demonstrate a lack of candor, a fundamental inability to accept responsibility for his conduct, a blatant disregard for safety regulations,

²⁹ *Id.*, at 53:18-22.

³⁰ The March 14, 2014, FMCSA Airline Shuttle safety audit notes the following on pages 5-6: “During the beginning of the review and up until the time the review was being finished, the carrier repeatedly cited a WAC 48-30-011, claiming the company was exempt and not regulated by FMCSA. It was explained several times that the only exemption the carrier received was for operating authority when conducting flight crew transportation within 25 miles of the airport. The carrier repeatedly said that he was not in FMCSA’s jurisdiction and that he would get what we told him, ‘but not because he needed it.’ An email with information pertaining to the WAC that was cited and the FMCSRs that were required to be followed was sent to the carrier on 2/5/14.”

³¹ Valentinetti, TR 10:16-18.

³² *Id.*, at 19:16-18.

³³ *Id.*, at 121:21-122:1.

³⁴ *Id.* at p. 14.

and a profound disrespect for government regulators. Accordingly, we find that he cannot be trusted to provide charter party and excursion carrier services consistent with the public interest.

36 **Decision.** Go VIP has failed to demonstrate its fitness to operate as a charter party and excursion carrier. The Commission finds that the Company is not able or willing to comply with Commission safety requirements, and that Go VIP is unfit to conduct business as a charter party and excursion carrier. Accordingly, we find that granting Go VIP a certificate to operate as a charter or excursion carrier would not be in the public interest, and deny Go VIP's Application.

FINDINGS AND CONCLUSIONS

- 37 (1) The Commission is an agency of the State of Washington, vested by statute with authority to regulate rates, rules, regulations, and practices of public service companies, including charter party and excursion service carriers, and has jurisdiction over the parties and subject matter of this proceeding.
- 38 (2) In November 2013, AMI Coaches, a motor carrier owned and operated by Mr. Valentinetti, was placed out-of-service by the FMCSA for violating federal safety regulations.
- 39 (3) Mr. Valentinetti does not accept responsibility for the violations committed by AMI Coaches.
- 40 (4) In March 2014, Airline Shuttle, a motor carrier owned and operated by Mr. Valentinetti, was placed out-of-service by the FMCSA for violating federal safety regulations.
- 41 (5) Mr. Valentinetti does not accept responsibility for the violations committed by Airline Shuttle.
- 42 (6) Commission rules that govern safety regulations for charter and excursion carriers, WAC 480-30-221, adopt by reference each of the federal safety regulations violated by AMI Coaches and Airline Shuttle.
- 43 (7) Go VIP proposes to offer service that is substantially similar to the service previously offered by AMI Coaches, under the same management, and using the same vehicles and principal place of business.

- 44 (8) Mr. Valentinetti's compliance history demonstrates a lack of fitness to operate as a charter or excursion carrier.
- 45 (9) Mr. Valentinetti's failure to accept responsibility for the violations committed by AMI Coaches and Airline Shuttle demonstrate an inability or unwillingness to comply with Commission safety regulations.
- 46 (10) The FMCSA application filed by Go VIP contains a false statement because it fails to disclose that the Company shares common ownership with a carrier that was regulated by the FMCSA in the three years prior to the date of the application.
- 47 (11) Mr. Valentinetti's inconsistent and contradictory testimony at hearing demonstrates a lack of candor that makes him unfit to operate as a charter or excursion carrier.
- 48 (12) Go VIP failed to demonstrate that it is fit, willing, and able to provide charter party and excursion carrier services.
- 49 (13) For each of the reasons set out above, the Commission should deny Go VIP's Application for a certificate to operate as a charter party and excursion carrier in the state of Washington.

ORDER

THE COMMISSION ORDERS THAT:

- 50 The Application filed by Go VIP LLC d/b/a Go VIP Seattle on December 20, 2016, for a certificate to operate as a charter party and excursion service carrier in the state of Washington is DENIED.

DATED at Olympia, Washington, and effective May 5, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RAYNE PEARSON
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 480-07-610(7) provides that any party to this proceeding has twenty-one (21) days after the entry of this Initial Order to file a *Petition for Review*. What must be included in any Petition and other requirements for a Petition are stated in WAC 480-07-610(7)(b). WAC 480-07-610(7)(c) states that any party may file an *Response* to a Petition for review within seven (7) days after service of the Petition.

WAC 480-07-830 provides that before entry of 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. No Answer to a Petition to Reopen will be accepted for filing absent express notice by the Commission calling for such answer.

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). Any Petition or Response filed must also be electronically served on each party of record as required by WAC 480-07-140(1)(b).