

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

NOTICE OF PENALTIES INCURRED AND DUE FOR VIOLATIONS
OF LAWS RULES AND REGULATIONS

Comcast Phone of Washington, LLC) PENALTY ASSESSMENT:
d/b/a Comcast Digital Phone) DOCKET NO. UT-031459
440 Yauger Way SW)
Olympia, WA 98502) PENALTY AMOUNT: \$1000

.....

1 The Washington Utilities and Transportation Commission (Commission) has information on which it believes that you have committed one or more violations of Washington State law or Commission regulation. Based on this information, the Commission hereby notifies you that it has assessed penalties upon you in the amount shown above under the provisions of Title 80, RCW (specifically RCW 80.04.405), and the rules and regulations of the Washington Utilities and Transportation Commission. The violations that are the basis for this penalty assessment are described as follows:

- (a) Comcast Phone of Washington, LLC (Comcast), is a Class A company under Chapter 480-120 Washington Administrative Code.
- (b) WAC 480-120-439 requires that each Class A company file monthly reports on its service quality performance. The reports are due thirty days after the end of the month in which the activity reported on takes place. WAC 480-120-439 became effective on July 1, 2003.
- (c) The service quality performance report for performance during the month of July 2003 was due on September 2, 2003, which is the first business day after August 30, 2003. Comcast has not filed this report as of the date of this penalty assessment, September 12, 2003.
- (d) Comcast's failure to file the required report is in apparent violation of WAC 480-120-439. Comcast has failed to file the report for 10 days. Each day constitutes a separate violation. Such conduct supports a

penalty in the amount of \$1000, to date.

- 2 Penalties are due and payable upon receipt of this penalty notice. If for any reason you believe the violations described did not occur, or you have an explanation as to why they occurred, or have other facts you believe the Commission should have considered, the above law provides that you may make application for mitigation of this penalty. To do so, complete the enclosed mitigation form and return it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, within FIFTEEN (15) days of your receipt of this penalty notice. If you want a hearing to contest the occurrence of the violation or the amount of the penalty, you may request one in your request for mitigation. If you request a hearing, please state why you believe a hearing is called for in your circumstances. The Commission will consider your plea and notify you of its determination.
- 3 Failure to return the mitigation plea or pay the amount due within 15 days will cause the Commission to refer this matter to the Office of the Attorney General for collection. Suit may then be brought against you and after trial, judgment may be entered against you.

DATED at Olympia, Washington and effective this 12th day of September, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

PATRICK J. OSHIE, Commissioner