

JUL - 2 1998

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Penalty Assessment No. 96187)	DOCKET NO. TV-980725
)	
STARVING STUDENTS OF)	NOTICE OF BRIEF ADJUDICATIVE
SEATTLE, INC.)	PROCEEDING ON
)	APPLICATION FOR MITIGATION
)	(July 22, 1998)
.....)	

On May 1, 1998, the Commission served notice of Penalty Assessment No. 96187 upon Starving Students of Seattle, Inc., respondent, alleging that the respondent violated RCW 81.80.220 and WAC 480-12-330 by assessing rates and/or charges different from those contained in lawfully published tariffs, WAC 480-12-180(6) by failing to maintain a driver qualification file on each driver employed, and WAC 480-12-190 by failing to maintain hours of service records on each driver employed.

On May 15, 1998, respondent applied for mitigation of the penalty. Pursuant to RCW 34.05.482 and WAC 480-09-500, the Commission has determined that a brief adjudicative proceeding is appropriate for resolving the issues raised in mitigation of penalty assessments. The Commission sets this matter for resolution in a brief adjudication proceeding and designates Administrative Law Judge Lawrence J. Berg as presiding officer. The presiding officer's telephone number is (360) 664-1137.

The issues in this proceeding include whether the violations occurred, and if so, whether the penalty should be mitigated as requested, pursuant to the pertinent provisions of chapters 81.80 and 81.04 RCW. Statutes and rules involved include those within chapter 480-09 WAC, specifically WAC 480-09-500, and those included within chapter 480-12 WAC. Statutes invoked include chapter 81.80 RCW, including RCW 81.80.220, and chapter 34.05 RCW, including sections 34.05.482 through 34.05.494.

NOTICE OF BRIEF ADJUDICATION

The Commission sets the time and place for oral presentations on the issues as July 22, 1998, beginning at 9:30 a.m., in Room 108 in the Commission's offices at 1300 S. Evergreen Park Drive S.W., Olympia, Washington, unless changed by letter from the Secretary or the presiding officer.

Please see the form attached to this notice which should be filled out and returned if any party or witness needs an interpreter or other assistance.

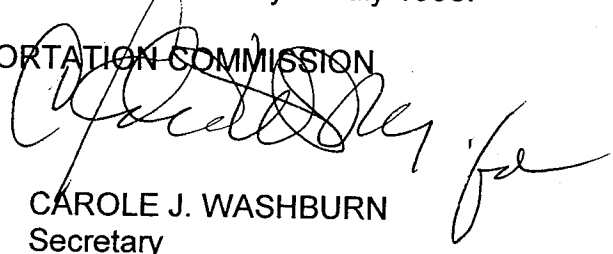
The names and mailing addresses of the parties and their known representatives are as follows:

Respondent: Starving Students of Seattle, Inc.
620 Spokane Street
Seattle, WA 98134

Commission Staff: It is expected that Staff of the Commission will appear in this proceeding through the Office of the Attorney General, Heritage Plaza Building, 1400 S. Evergreen Park Drive S.W., Olympia, Washington, 360-664-1183.

DATED at Olympia, Washington and effective this 1st day of July 1998.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION


CAROLE J. WASHBURN
Secretary