



HERMES LAW FIRM, PSC

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Sent Via Certified Mail

May 5, 2017

Gregory J. Kopta, Director
Administrative Law Division
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

RECEIVED
RECORDS MANAGEMENT
2017 MAY -9 AM 8:21
STATE OF WA
UTIL. AND TRANSP.
COMMISSION

**Re: Assessed Entity: TT&E, LLC
Assessment No.: D-170116
Request for Mitigation Hearing**

Dear Director Kopta:

This law firm represents TT&E, LLC, the entity assessed under the above-referenced assessment number. Enclosed please find our client's penalty assessment response requesting a Mitigation Hearing.

Please also accept this letter as our formal Notice of Appearance on behalf of TT&E, LLC. Please direct all further correspondence and other communication directly to this law firm.

Finally, if any pre-hearing procedural matters require our attention, please notify us at your earliest opportunity.

Thank you.

Sincerely,


HERMES LAW FIRM, PSC

RUSSEL J. HERMES

Enclosure – as stated

Cc: Client Copy (w/encl.)

CL\AAAACorps\TT&E\WUTC\05-05-17 MitHearingReqLtr

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT D-170116

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

1. **Payment of penalty.** I admit that the violations occurred and enclose \$46,000 in payment of the penalty
2. **Accept conditions.** I admit that the violations occurred and enclose \$21,000 toward payment of the penalty. I accept the Commission's offer to suspend, and ultimately waive, \$25,000 of the penalty on the conditions that all TT&E employees, including ownership and management, attend the "Dig Safe" training provided through NUCA within 12-months of this penalty assessment; submit documentation of that attendance to the Commission within five (5) days of attending the training; and commit no further violations of RCW 19.122 within the next two years.
3. **Contest the violations.** I believe that the alleged violations did not occur for the reasons I describe below:
- a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.
- OR b) I ask for a Commission decision based solely on the information I provide above.
4. **Request mitigation.** I admit the violations, but I believe that the penalty should be reduced for the reasons set out below:
- a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision.
- OR b) I ask for a Commission decision based solely on the information I provide above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: 5-4-17 [Month/Day/Year], at Everett WA [City, State]

TT&E LLC
Name of Respondent (company) – please print

[Signature] Member
Signature of Applicant

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REGIONS MANAGEMENT
017 MAY -9 AM 8:21
STATE UTIL. AND TRANSPORTATION COMMISSION