

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

In the Matter of the Petition of	)	DOCKET NO. TC-030573
	)	
PACIFIC NORTHWEST	)	ORDER NO. 01
TRANSPORTATION SERVICES,	)	
INC.,	)	
	)	
Petitioner,	)	
	)	
Seeking Exemption from the	)	ORDER GRANTING EXEMPTION
Provisions of WAC 480-30-120	)	FROM RULE, GRANTING
Relating to Filing of Annual Reports	)	COMPANY ADDITIONAL TIME
by Auto Transportation Companies	)	TO FILE ANNUAL REPORT, AND
and Seeking an Extension of Time to	)	DENYING EXTENSION OF TIME
Pay Regulatory Fees.	)	TO PAY REGULATORY FEES.
.....	)	

**BACKGROUND**

- 1     On April 24, 2003, Pacific Northwest Transportation Services, Inc., (Pacific or the Company) filed with the Commission a petition requesting an extension to file its 2002 annual report as required by WAC 480-30-120 and an extension of time to pay regulatory fees. According to the Company, it is unable to prepare the annual report due to a complete audit of its 2001 and 2002 bookkeeping and financial records and it is unable to pay the regulatory fees because 1<sup>st</sup> quarter taxes are due April 30, 2003. The Company seeks an extension until June 1, 2003.
  
- 2     Commission Staff reviewed the request and recommended granting Pacific's request for exemption of rule and extension of time to file the annual report, and denying Pacific's request for an extension of time to pay regulatory fees.

## FINDINGS AND CONCLUSIONS

- 3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate public service companies, including auto transportation companies. *RCW 80.01.040; Chapter 81.04 RCW; Chapter 81.28 RCW and Chapter 81.68 RCW.*
- 4 (2) Pacific is an auto transportation company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) Pacific is subject to the provisions of RCW 81.04.080 requiring annual reports and WAC 480-30-120 requiring auto transportation companies to file an annual report by May 1<sup>st</sup> of each year.
- 6 (4) RCW 80.04.080 requires all annual reports to be filed with the commission at its office in Olympia on such date as the commission specifies by rule, unless additional time be granted in any case by the commission.
- 7 (5) Pacific is subject to the provisions of RCW 81.24.020 that requires auto transportation companies to pay regulatory fees by May 1<sup>st</sup> of each year. There is no statutory provision allowing the Commission to grant an extension of time to pay.
- 8 (6) This matter was brought before the Commission at its regularly scheduled meeting on April 30, 2003.
- 9 (7) After review of the petition filed in Docket TC-030573 by Pacific on April 24, 2003, and giving due consideration, the Commission finds that the exemption of the rule and extension of time to file an annual report is reasonable and should be granted. The Commission finds that the

extension of time to pay regulatory fees is not allowed by statute and should be denied.

**ORDER**

THE COMMISSION ORDERS:

- 10 (1) The exemption sought by Pacific Northwest Transportation Services, Inc., for an extension until June 1, 2003, to file its 2002 annual report is granted.
- 11 (2) The exemption sought by Pacific Northwest Transportation Services, Inc., for an extension until June 1, 2003, to pay regulatory fees is denied.
- 12 (3) Failure by Pacific Northwest Transportation Services, Inc., to file its 2002 annual report by June 1, 2003, may result in the Commission invoking provisions of Chapter 81.04 RCW that provide for penalty assessments.
- 13 (4) The Commission retains jurisdiction over the subject matter and Pacific Northwest Transportation Services, Inc., to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 30th day of April, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary

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