

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TE-141053

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.

2014 MAY 30 AM 8:04
RECEIVED
UTILITY MANAGEMENT

[] 1. Payment of penalty. I admit that the violations occurred. I have:

[] Enclosed \$ _____ in payment of the penalty

[] Submitted my payment of \$ _____ online at www.utc.wa.gov. My confirmation number is _____.

[] 2. Request for a hearing. I believe that one or more of the alleged violations did not occur, for the reasons I describe below, and I request a hearing based on those reasons, for a decision by an administrative law judge:

[X] 3. Application for mitigation. I admit the violations, but I believe that the penalty should be reduced for the reasons set out below:

I misplaced Annual Report and found after seeing this notice. Dec 2013 Fees paid on time. Very little revenue (\$10,200) 2013

[] a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision

OR [X] 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: 5/28/14 [month/day/year], at Seattle, WA [city, state]

Blue Sky Outfitters, Inc
Name of Respondent (company) – please print

Brad Sarver
Signature of Applicant

RCW 9A.72.020:
“Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor’s mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony.”



STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

November 15, 2013

Subject: Regulatory Fees Due December 31, 2013

178 11/26/13
\$25.00

If you operate as a charter and excursion carrier, you must pay your 2014 regulatory fees by December 31, 2013. This is the only notice you will receive from the Washington Utilities and Transportation Commission (UTC).

What is new?

The commission recently adopted rules requiring the submittal of your annual safety report to be filed by May 1 of each year. You had been notified in September that the commission will be pursuing agency requested legislation to also change the due date for regulatory fees to that same May 1 date. As this legislation will not be in effect until after the statutory due date your regulatory fees will be due by December 31 this year. Your annual safety report will be due May 1, 2014.

What happens if you do not pay your regulatory fees by December 31?

Failure to pay regulatory fees by December 31, 2013, will result in the following interest penalties:

- Two percent penalty on the amount due.
- One percent monthly interest charge on the unpaid balance.

Paying fees online?

Visit the UTC website at www.utc.wa.gov/annualreports and follow the instructions under "Pay Fees" for online payments.

Paying fees by mail?

If you send your regulatory fee payment by U.S. mail, the envelope must be received by Tuesday, December 31, 2013. If you plan to use another delivery method, ensure that your payment arrives at the UTC by 5:00 p.m. Tuesday, December 31, 2013.

Mail payments to:

Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-7250

SERVICE DATE

MAY 23 2014

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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

**PENALTY ASSESSMENT: TE-141053
PENALTY AMOUNT: \$1,000**

Blue Sky Outfitters, Inc.
9674 50th Ave SW
Seattle, WA 98136

According to Washington Utilities and Transportation Commission (Commission) records, you have violated Washington Administrative Code (WAC) 480-30-071, which requires charter and excursion carriers to file their annual reports. You did not file an annual report by May 1, 2014.

Revised Code of Washington (RCW) 81.04.080 authorizes the Commission to assess penalties of \$100 for violations of Commission rules. Each violation is a separate and distinct offense and, in the case of a continuing violation, every day's continuance is a separate and distinct violation. The Commission interprets noncompliance with WAC 480-30-071 beyond May 1 as a continuing violation, and assesses penalties of \$100 for each day a company fails to file its report after that date.

As a result, the Commission has assessed penalties against you in the amount of \$1,000 on the following basis:

On February 28, 2014, the Commission mailed the 2013 annual report forms and the 2014 regulatory fee packets to all charter and excursion carriers registered in Washington. The instructions page for the annual report form instructed these companies to file annual reports by May 1, 2014. The instructions page also stated that failure to file the annual report by May 1 would result in penalties. The deadline for requesting an extension to file your annual report was April 17. You did not request an extension.

As of May 15, 2014, Blue Sky Outfitters, Inc. has not filed its 2013 annual report. May 15 is 10 business days from May 1, resulting in a total penalty of \$1,000.

Your penalty is due and payable now. If you believe the violation did not occur, you may request a hearing to contest the penalty assessment. The Commission will grant that request only if material issues of law or fact require consideration of evidence and resolution in a hearing. A request for a hearing must include a written statement of the reasons supporting that request. Failure to provide such a statement will result in denial of the request. If there is a reason for the violation that you think should excuse or reduce the penalty, you may ask for mitigation