

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT UT-150800

RECEIVED

JUN 08 2015

WASH. UT. & TP. COM

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. I have:

[] Enclosed \$ _____ in payment of the penalty

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

[x] 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: IN CONSIDERATION,

PLEASE SEE ATTACHED LETTER AND EMAIL SHOWING COMPLETE AND TIMELY SUBMISSION OF ANNUAL REPORT.

[] 3. Application for 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: 6/5/15 [month/day/year], at SCOTTSDALE, ARIZONA [city, state]

BROADBAND DYNAMICS, LLC
Name of Respondent (company) - please print

[Signature]
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.”



Date: June 5, 2015

Washington Utilities and Transportation Commission
Post Office Box 47250
Olympia, Washington 98504-7250

Re: Penalty Assessment UT-150800 –Request for Hearing

Dear Sir or Madam:

Broadband Dynamics, LLC is requesting a hearing for the above mentioned assessment because we believe the alleged violations did not occur.

In consideration, please review the attached email correspondence with Pam Callea, Financial Services Department of WA Utilities and Transportation Commission.

Broadband Dynamics, LLC was alerted on May 1st, 2015 there was a missing item found in our annual report submission which was the Balance Sheet. Pam Callea requested the Balance Sheet and in the email stated that the “page may be scanned and returned via email, fax, mailed or filed online at www.utc.wa.gov.”

As indicated on our email, the Balance Sheet was attached and named “BBD 2014 BalSht.xls” and sent to Pam Callea via email one hour after being requested on May 1st, 2015 before the filing deadline expired.

We respectfully request a review of this information and if needed a hearing to clear this assessment from our account.

Respectfully,

Kim Havins | Accounting (Regulatory & Tax Compliance)

V: (480) 941-0444 -or- (800) 277-1580
F: (480) 941-1143 -or- (800) 277-1406

RECEIVED
PERSONAL MANAGER
2015 JUN -8 PM 1:59
STATE OF WA
UTIL. AND TRANSPORTATION
COMMISSION

Kim Havins

From: Kim Havins
Sent: Friday, May 01, 2015 9:45 AM
To: 'pcallea@utc.wa.gov'
Cc: 'grodham@broadbanddynamics.com'
Subject: RE: Broadband Dynamics LLC - Incomplete Telecommunications 2014 WA Annual Report
Attachments: BBD 2014 BalSht.xls

Importance: High

Pam,

Please see attached Balance Sheet for Broadband Dynamics, LLC. I appreciate you alerting us in time to make the filing deadline and apologize for any inconvenience.

Please contact us if any additional information is needed to process our annual report.

Thank you

Respectfully,
Kim Havins
Accounting Assistant
Broadband Dynamics, LLC
480.941.0444 V Ext 217
480.941.1143 F
www.broadbanddynamics.com



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From: Gary Rodham
Sent: Friday, May 01, 2015 9:19 AM
To: Kim Havins
Subject: FW: Broadband Dynamics LLC - Incomplete Telecommunications 2014 WA Annual Report

Respectfully,
Gary Rodham
Controller
Broadband Dynamics, LLC
480.941.0444 V Ext 216
480.941.1143 F
www.broadbanddynamics.com



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From: Callea, Pam (UTC) [<mailto:pcallea@utc.wa.gov>]

Sent: Friday, May 01, 2015 8:44 AM

To: Gary Rodham

Cc: Callea, Pam (UTC)

Subject: Broadband Dynamics LLC - Incomplete Telecommunications 2014 WA Annual Report

Dear Regulated Company,

On February 27, 2015 the Utilities and Transportation Commission mailed you an Annual Report. The report and fees are due by May 1, 2015.

A review of your annual report submitted indicates it is incomplete.

- **Balance Sheet not attached.**

This page may be scanned and returned via email, fax, mailed or filed online at www.utc.wa.gov.

Commission staff may recommend enforcement action, which includes penalties up to \$100 per day, against any company that does not file a completed annual report. In order to avoid enforcement action, the commission must receive your completed report no later than May 1, 2015.

If you have any questions about your annual report please call me at (360) 664-1152 or e-mail at pcallea@utc.wa.gov.

Thank you,

Pam Callea

Financial Services

WA Utilities and Transportation Commission

PO Box 47250

Olympia, WA 98504-72580

Office: 360-664-1152

Fax: 360-664-1289

www.utc.wa.gov