



Telecom Management, Inc. d/b/a Pioneer Telephone
39 Darling Avenue • South Portland • Maine • 04106
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www.pioneertelephone.com

June 8, 2015

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PO BOX 47250
OLYMPIA WA 98504-7250

RE: Penalty Assessment UT-150848
Application for Mitigation
Telecom Management, Inc. dba Pioneer Telephone (TMI)

RECEIVED
PROPERTY MANAGEMENT
2015 JUN 12 AM 8:38
STATE OF WASH
UTIL AND TRANSP
COMMISSION

To Whom It May Concern:

I have enclosed TMI's Application for Mitigation in the assessment matter referenced above.

Please contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Photiades".

Kevin Photiades
Regulatory Manager
Direct: (207) 766-7803
Fax: (877) 554-1009
kphotiades@pioneertelephone.com

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT UT-150848

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 _____.

[] 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~~ believe that the penalty should be ~~reduced~~ for the reasons set out below: *DO NOT ADMIT ANY VIOLATION AND ELIMINATED (PLEASE SEE ATTACHED)*

[] 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: JUNE 8, 2015 [month/day/year], at SOUTH PORTLAND, ME [city, state]

TELECOM MANAGEMENT, INC.
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.”

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STATE OF WASHINGTON
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PERJURY MANAGEMENT

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PENALTY ASSESSMENT UT-150848

3. **Application for mitigation.** I do not admit any violation and believe that the penalty should be eliminated for the reasons set out below:

Contrary to the description contained in the Penalty Assessment document, Telecom Management, Inc. (TMI) filed a **complete** 2014 annual report on April 29, 2015. TMI chose not request confidentiality of its financial statements when its annual report was filed online; however, because TMI uploaded copies of financial statements stamped with the word “confidential”, Commission staff apparently interpreted this action as a request for confidentiality without filing the necessary paperwork to support such a request and declared TMI’s annual report filing incomplete. Although Commission staff stated that an email was sent to notify TMI that its annual report filing was deemed incomplete, TMI did not receive such an email, nor did it receive any further notice from the Commission regarding this matter until receipt of the Penalty Assessment on June 5, 2015 (via email).

TMI therefore asserts that it should not be penalized because (1) TMI filed a complete annual report adhering to the Commission’s filing instructions on April 29, 2015 and paid its 2015 regulatory fee; (2) Commission staff erred by ignoring TMI’s decision not to request confidentiality, declaring TMI’s filing incomplete; and (3) TMI did not receive any notice from the Commission regarding its “incomplete” filing.

RECEIVED
REGULATORY MANAGEMENT
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STATE OF WASHINGTON
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