

1416 Whitehorn St
Ferndale Washington 98248
Ph: 360.380.8800 / 866.235.5247
Fax: 360.380.1538
www.airporter.com

Gregory Kopta
Administrative Law Judge
WUTC
P.O. Box 47250
Olympia, WA 98504-7250

June 12, 2015

Dear Mr. Kopta

I am not sure what to do.

Today we received what appears to be
previous 3 copies we received in late

As well, I responded to the first notice
enclosed.

Will you call me and explain if today's notice is different to the ones we previously
received and responded to, or if the UTC has doubled up on their paperwork and has
made an administrative error.

Thank you



Richard Johnson
President

360-543-9369

TE-151056

Please post these
documents as
a mitigation
request for
TE-151056 per

Greg. Thanks - he
Amy

2015 JUN 16 PM 2:21
STATE OF WASHINGTON
UTC, AIRPORTER



In God We Trust

BELLINGHAM AREA - MAIN OFFICE
Bellair Charters / Airporter Shuttle
1416 Whitehorn St
Ferndale WA 98248
Ph: 360.380.8800 / 866.235.5247
Fax: 360.380.1538

BURLINGTON OFFICE
Bellair Charters / Airporter Shuttle
360.899.5291

SEATTLE AREA OFFICE
Bellair Charters
800.422.4042

YAKIMA OFFICE
Airporter Shuttle
509.225.7433

Posted

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

SERVICE DATE

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

JUN 10 2015

PENALTY ASSESSMENT: TE-151056

PENALTY AMOUNT: \$1,000

WICKKISER INTERNATIONAL COMPANIES INC
1416 WHITEHORN ST.
FERNDALE, WA 98248

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 your annual report. You did not file an annual by May 1, 2015.

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 27, 2015, the Commission mailed the 2014 annual report forms and the 2015 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, 2015. 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 15. You did not request an extension.

On May 1, 2015, Wickkiser International Companies, Inc. filed an incomplete 2014 annual report and paid its 2015 regulatory fee. As of May 15, the report remains incomplete. 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 (reduction) of this penalty through evidence presented at a hearing or in writing. The Commission will grant a request for a hearing only if material issues of law or fact require consideration of evidence and resolution in a hearing. Any request for mitigation must include a written statement of the reasons supporting that request. Failure to provide such a statement will result in denial of the request. See RCW 81.04.405.

If you properly present your request for a hearing and the Commission grants that request, the Commission will review the evidence supporting your dispute of the violation or application for mitigation in a Brief Adjudicative Proceeding, before an administrative law judge. The administrative law judge will consider the evidence and will notify you of his or her decision.

You must act within 15 days after receiving this notice to do one of the following:

- Pay the amount due.
- Request a hearing to contest the occurrence of the violations.
- Request mitigation to contest the amount of the penalty.

Please indicate your selection on the enclosed form and send it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, **within FIFTEEN (15) days** after you receive this notice.

If you do not act within 15 days, the Commission may refer this matter to the Office of the Attorney General for collection, which may file suit in state court to collect the penalty. The Commission may also initiate proceedings under WAC 480-30-171 to revoke your authority to provide charter & excursion services in Washington.

DATED at Olympia, Washington, and effective June 10, 2015.



GREGORY J. KOPTA
Administrative Law Judge

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TE-151056

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:

[] 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: _____ [month/day/year], at _____ [city, state]

Name of Respondent (company) – please print

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.”

Washington Utilities & Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

COPY

May 29, 15

re: TC -150982

To Whom It May Concern:

The UTC's notice states that I filed an incomplete annual report.

On the 5^h of May, Katy Hancock from the UTC called and left a voice mail for me saying that I filed an incomplete report. I called back later that afternoon and we spoke. She said I made two errors in our report. The first error on schedule one, was that I did not write "0" in the blank for interstate miles, I left it blank. My blank meant no miles. The second error on schedule two, was that there were too many vehicles on the schedule. She said that I should have listed only the vehicles that we use in charter service.

She concluded that our conversation about the blank meaning no miles was ok and that I needed to email her the revised vehicle list to include only Charter vehicles. Immediately following our conversation I emailed Ms. Hancock the list. The time stamp on my email is 3:48pm.

My conversation with Ms. Hancock cleared up all issues on the annual report. She did not require any further action.

Your notice asks me to respond in one of three ways. If the UTC is able remove the violation after reading this letter, I don't need to request a hearing. However if the UTC continues with the violation I request a hearing with an administrative law judge.

Sincerely

Richard Johnson
President – Wickkiser International

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

SERVICE DATE

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

MAY 22 2015

PENALTY ASSESSMENT: TC-150982

PENALTY AMOUNT: \$1,000

WICKKISER INTERNATIONAL COMPANIES INC
1416 WHITEHORN ST.
FERNDAL, WA 98248

According to Washington Utilities and Transportation Commission (Commission) records, you have violated Washington Administrative Code (WAC) 480-30-071, which requires auto transportation companies to file your annual report and pay regulatory fees each year by May 1. You did not file an annual report or pay regulatory fees by May 1, 2015.

Revised Code of Washington (RCW) 81.04.080 authorizes the Commission to assess a penalty of \$100 for each violation of a Commission rule. 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 or pay its regulatory fees after that date.

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

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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.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TC-150982

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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.

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[] 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: 5/29/15 [month/day/year], at Ferndale, WA [city, state]

Wickbuses International
Name of Respondent (company) – please print

Richman
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.”

See letter for my decision