

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

NOVATEL LTD., INC.,

Petitioner,

Seeking Exemption from the Provisions of
WAC 480-120-382 Requiring
Competitively Classified
Telecommunications Companies to File the
2015 Annual Report no later than May 1,
2016

DOCKET UT-160311

ORDER 01

ORDER GRANTING EXEMPTION
FROM RULE; GRANTING COMPANY
ADDITIONAL TIME TO FILE
ANNUAL REPORT

BACKGROUND

1 On March 16, 2016, NovaTel Ltd., Inc. (NovaTel or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition for an extension of time to file its annual report for 2015 as required by WAC 480-120-382. According to NovaTel, it is unable to prepare the report due to year-end financial statements that will not be finalized and approved by the due date. NovaTel seeks an extension until July 1, 2016. The Company understands that the annual regulatory fee must be paid on or before May 1, 2016.

2 Commission Staff reviewed the request and recommends granting NovaTel's request for exemption.

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 competitively classified telecommunications companies. RCW 80.01.040, RCW 80.04, and RCW 80.36.

4 (2) NovaTel is a competitively classified telecommunications company and a public service company subject to Commission jurisdiction.

5 (3) NovaTel is subject to WAC 480-120-382, which requires competitively classified telecommunications companies to file an annual report no later than May 1 of each year.

- 6 (4) Under WAC 480-120-015, the Commission may grant an exemption from any rule in WAC 480-120, if consistent with the public interest, the purposes underlying regulation and applicable statutes. See also WAC 480-07-110.
- 7 (5) This matter came before the Commission at its regularly scheduled meeting on April 7, 2016.
- 8 (6) After review of the petition in Docket UT-160311 by NovaTel filed on March 16, 2016, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.

O R D E R

THE COMMISSION ORDERS:

- 9 (1) The request by NovaTel Ltd., Inc. for an exemption from WAC 480-120-382 and for an extension until July 1, 2016, to file its 2015 annual report is granted.
- 10 (2) Failure by NovaTel Ltd., Inc. to file its annual report by July 1, 2016, may result in the Commission invoking RCW 80.04.405, which allows the Commission to assess penalties for violations of statute, rules and Commission orders.
- 11 (3) The Commission retains jurisdiction over the subject matter and NovaTel Ltd., 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 April 7, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary