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E-MAILED JUN 30 AM

June 30, 2016

Sent via email to: sbennett@utc.wa.gov
Attn: Sean Bennett, Regulatory Analyst
WA. UTILITIES AND TRANSPORTATION COMMISSION

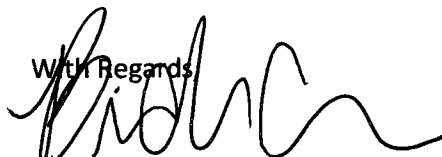
RECEIVED
REGULATORY MANAGEMENT
2016 JUL -5 PM 2:02
STATE OF WASH
UTIL AND TRANSP
COMMISSION

Re: PENALTY ASSESSMENT UT-160536

To Whom It May Concern,

I ask that you please waive the penalty fees that were accrued due to an incomplete 2015 annual report and non-payment of the 2016 regulatory fee. This was an honest mistake on my behalf; I had originally submitted the "incomplete" annual report May 26, 2016 via Fax. I was in contact with Amy Clark the next day, April 27th to figure out what was incomplete and how to resolve it. Once it was known that we needed a formal balance sheet and income statement I submitted a check request along with accounting requests internally on April 28th, 2016 for Friday, April 29th, 2016. The check request was placed in the CFO's office on his desk. We were in the middle of an office move and I'm afraid that the check request was misplaced in a box on his desk for some odd reason. Now, I understand I am at fault for not following up; but I have never had an "issue" when submitting a check request internally so I assumed the check along with updated and complete annual report was sent out April 29, 2016.

With Regards,



Bianca Del Castillo | Executive Assistant
O¹ Communications, Inc.

4359 Town Center Blvd, Suite 217
El Dorado Hills, CA 95762

TF: 888.444.1111 | Direct: 916.235.2003

Email: bdelcastillo@o1.com | Fax: 916.933.6958

O1 Communications, Inc.

5190 Golden Foothill Parkway • El Dorado Hills, CA 95762
888-444-1111 • www.o1.com

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
NOTICE OF PENALTIES INCURRED AND DUE
FOR VIOLATIONS OF LAWS AND RULES

PENALTY ASSESSMENT: UT-160536
PENALTY AMOUNT: \$1000

SERVICE DATE

01 Communications West, LLC
5190 Golden Foothill Parkway
El Dorado Hills, CA 95762

JUN 13 2016

According to Washington Utilities and Transportation Commission (Commission) records, you have violated Washington Administrative Code (WAC) 480-120-382, which requires telecommunications companies to file their annual report and pay regulatory fees each year by May 1. May 1 was a Sunday, therefore you were required to file your annual report or pay regulatory fees by May 2, 2016. You did not file an annual report by May 2, 2016.

Revised Code of Washington (RCW) 80.04.405 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 480-120-382 beyond May 2 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 \$1000 on the following basis:

On February 29, 2016, the Commission mailed the 2015 annual report forms and the 2016 regulatory fee packets to all telecommunications companies registered in Washington. The instructions page for the annual report form instructed these companies to file annual reports and pay regulatory fees by May 2, 2016. The instructions page also stated that failure to file the annual report by May 2 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 Tuesday, April 26, 2016, 01 Communications West, LLC filed an incomplete 2015 annual report and did not pay its 2016 regulatory fee. As of May 16, the report remained incomplete. May 16 is ten business days from May 2, resulting in a total penalty of \$1,000. A complete and accurate annual report is still not on file and additional penalties may accrue until received.

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 UT-160536

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 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

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: 6/30/2016 [month/day/year], at Eldorado Hills, CA [city, state]

Bianca Del Castillo
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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OFFICE OF THE
STATE CLERK
WASHINGTON

