

SERVICE DATE

JUN 17 2016

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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

**PENALTY ASSESSMENT: TN-00664
PENALTY AMOUNT: \$1000**

2016 JUN 23 AM 9:35
REGISTRATION
MANAGEMENT

Mt. Si Senior Center
PO Box 806
North Bend, WA 98045

According to Washington Utilities and Transportation Commission (Commission) records, you have violated Washington Administrative Code (WAC) 480-30-080, which requires nonprofit special needs transportation provider 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) 81.04.405 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 480-30-080 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 nonprofit special needs transportation provider 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 Friday, April 15, 2016, Mt. Si Senior Center filed an incomplete 2015 annual report and paid 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. The Commission has yet to receive a complete and accurate annual report and additional penalties may accrue until you submit one.

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

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TN-160664

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:

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: 6-21-2016 [month/day/year], at North Bend, WA [city, state]

Mt. Si Senior Center
Name of Respondent (company) – please print

A. C. Boyer
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.”



June 21, 2016

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

Re: Penalty Assessment TN-160664 received June 17th, 2016

Dear WUTC,

Please accept my apology for not properly filling out the 2015 annual report you received from us in mid-April, 2016.

I am asking for a commission decision based on the information I am providing you here.

Each year that I've been here since 2013 we have filled in a report showing our number of vehicles and paying you a fee of \$10 per vehicle used in support of our transportation project (Snoqualmie Valley Transportation – aka SVT).

On the 2014 report, under "Primary Source of Compensation" we checked "Grants or Contracts" and listed our sources as being WSDOT, King County Metro Transit, Metro CAT, City of North Bend and City of Snoqualmie. Under passenger fares we showed them as being approximately 1% of our income.

On the 2015 report we filled out all the information but forgot to list our sources of income so apparently this triggered a penalty from the WUTC of \$1,000.00.

We received no notice saying that our report was unfinished but received a penalty notice.

Please... We are a small nonprofit and I ask you not to penalize us for my silly mistake. In my – albeit possibly inexcusable – defense, I run a 20+-person company and have no office; I sit in a hallway of the Mt. Si Senior Center and am interrupted hundreds of times each day by employees, socializing seniors, riders, and everyone else who happens to walk by who needs an answer to their questions. Our staff members make very little money as this is a labor of love for us all. We do the very best we can with the funding we receive and, in 2015, we provided

rides to valley residents more than 38,000 times. A \$1,000.00 fine may not be a lot of money to some but it is crippling to us.

I ask you to forgive this fine with the understanding that we will never again make this mistake on reporting to the WUTC. I am also including the corrected page from your original request.

Please feel free to contact me and I earnestly hope you will look favorably on our request.

A handwritten signature in black ink, appearing to read "Amy Biggs". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Amy Biggs

Director, Snoqualmie Valley Transportation
A project of Mt. Si Senior Center
425-888-7001
AmyCBiggs@comcast.net

SCHEDULE 1

(complete all information for the year 2015)

Recordable Intrastate and Interstate Accidents

| Recordable Accidents | Intrastate | Interstate |
|---|------------|------------|
| A fatality | 0 | |
| An injury to a person requiring immediate treatment away from the scene of the accident | 0 | |
| Disabling damage to a vehicle, requiring it to be towed from the accident scene | 0 | |
| Total number of recordable accidents | 0 | |

Vehicle and Mileage Information

| Mileage Information | |
|-----------------------|---------|
| Total Operating Miles | |
| Intrastate | 128,129 |
| Interstate | -0- |

Intrastate: Trips that operate exclusively within WA
Interstate: Trips that operate outside of WA

Vehicles Operated

Indicate vehicles operated during the preceding year under certificate issued by the UTC to provide transportation services (for compensation) for persons with special transportation needs. If more space needed, please attach an additional schedule containing the required information listed below.

| Year | Make | Model | Passenger Seating Capacity | Number of Vehicles |
|--------------------------------|-------|-------------|----------------------------|--------------------|
| 2005 | FORD | E450/STAR | 12+1 | 2 |
| 2008 | FORD | CANDIDATE | 10+2 | 2 |
| 2009 | FORD | E450 | 10+2 | 2 |
| 2011 | CHEVY | GOSHEN | 10+2 | 1 |
| 2013 | CHEVY | CUTAWAY CT4 | 11+1 | 3 |
| Total Vehicles Operated | | | | 10 |

Primary Source of Compensation

Check all that apply and provide a brief description

Grants or Contracts

WDOT, Snoqualmie Tribe, King County Metro Transit,
City of Snoqualmie, City of North Bend

Passenger Fares

1%

Other

Addition
6-21-16