

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT TE-170026.

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 violation occurred and enclose \$ _____ in payment of the penalty.
- 2. **Contest the violation.** I believe that the alleged violation did not occur for the reasons I describe 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.

3. **Application for mitigation.** I admit the violation, but I believe that the penalty should be reduced for the reasons set out below:
Please see my attachment.

- 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: 1/30/17 [month/day/year], at Bellevue, WA [city, state]

Seattle Ocean Travel
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 WASH
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RECORDS MANAGEMENT

To whom it may concern,

We, Seattle Ocean Travel, apply for mitigation for the following reasons:

1. We are new business, built up in April 2014. During our operation time, we try our best to obey the law and instruction as a Washington state transportation carrier. We consider safety for the driver and customer as the first important thing. That is the reason why we applied 5 million dollars' damage coverage for insurance, which requirement for this type of vehicle is 1 million dollars.

For one of the violation is using a commercial motor vehicle not periodically inspected. We apologized that due to the language barrier we misunderstand the meaning of the government required. We did the inspection every time before the driver drive and regular oil changed and multi point check. The mistake we made is we do not understand we should use the garage which have been approved by government.

2. When the officer did the inspection, we highly cooperated with the officers to find out the problem and fix them. From my point of view, the penalty is for an alert to remind us not make this mistake again. So, if there are a more training to tell us how to be a new transportation carrier and what we need to do in the first year. We are more than happy to join in. For a second language learner, paper document or checklist is more important than verbal training. We will keep them into our document to record, and consider it as the first important thing.
3. We are small business. The penalty, \$12,500 means a lot for us, it may even make us close the business. Because this 15 passengers bus is only for the Eva airlines crew pick up. We have contract with hotel and they only give us a very low payment. The yearly gross income for this is only around \$36000. And after paying for the labor salary, insurance fee, gas. Parking ticket and maintenance fee, loan etc. The net income is below \$5,000 a year. So, we sincerely make a request for mitigation.

We highly acknowledge that we should take our responsibility for the business. And we would learn every detail we should learn, and correct every mistake

we make. Since it is the first time we got violation and our situation. Please reconsider our case. We would like to cooperated and provide all evidence we could.

Thank you for taking you time to read this.

Sincerely,

Yang He & Jing Guo

Yang He 

Seattle Ocean Travel

January 28, 2017