

SERVICE DATE

JUL 23 2012

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

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

PENALTY ASSESSMENT: TV-120916

PENALTY AMOUNT: \$375

**RECEIVED**

Bellingham Transfer & Storage, Inc.  
500 Carolina St.  
Bellingham, WA 98225

AUG 10 2012

**WASH. UT. & TP COMM**

According to the Commission's records, you have committed a violation of Commission rule: Washington Administrative Code (WAC) 480-15-480, which requires permitted household goods companies to file annual reports with the Commission by May 1 each year and pay regulatory fees annually on that date. You are classified as a household goods company. Commission records show that you did not file an annual report or pay annual regulatory fees by May 1, 2012.

Revised Code of Washington (RCW) 81.04.405 authorizes the Commission to assess penalties \$100 for violations of Commission rules. Each and every such violation shall be a separate and distinct offense and, in the case of a continuing violation, every day's continuance shall be and be deemed to be a separate and distinct violation. The Commission interprets noncompliance with WAC 480-15-480 as continuing violations, giving rise to penalties of \$100 for each day a company fails to make each requisite filing after the date on which it was due.

As a result, the Commission hereby notifies you that it has assessed penalties against you in the amount \$375 on the following basis:

On February 29, 2012, the Commission mailed 2011 Annual Report forms and 2012 Regulatory Fee packets to all permitted household goods companies registered in Washington state. A letter from the commission's Executive Secretary David W. Danner, instructed these companies to file annual reports and pay regulatory fees by May 1, 2012. The letter stated failure to file the annual report by May 1 would result in a penalty and possible cancellation of the company's permit to operate in Washington. Those companies wishing to request an extension to file the annual report were asked to do so prior to April 24, providing a reason for the requested extension. You did not request an extension.

Bellingham Transfer & Storage, Inc. filed its annual report on May 22, 2012, which is 15 business days past the deadline of May 1. The penalty was mitigated from \$100 per day to \$25 per day for a total of \$350.

2012 AUG 10 PM 2:00  
RECEIVED  
REPORTS MANAGEMENT

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. If there is a reason for the violation that you think should excuse you from the penalty, you may ask for mitigation (reduction) of this penalty. See RCW 81.04.405.

You have the right to present your request for review or further mitigation at a hearing, but you are not required to do so. If you do, the Commission will review the evidence supporting your request in an informal hearing, called a Brief Adjudicative Proceeding, before an administrative law judge. The administrative law judge will consider your plea and 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. The Commission will then sue you to collect the penalty.

DATED at Olympia, Washington, and effective July 23, 2012.



---

GREGORY J. KOPTA  
Administrative Law Judge

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
PENALTY ASSESSMENT TV-120916

**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 \$375 in payment of the penalty

Submitted my payment of \$375 online at [www.utc.wa.gov](http://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, based on the following information, and request a hearing, which is a process that allows an affected person to present argument to an administrative law judge 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 reason(s) set out below.

a) I ask for a hearing for a decision by an administrative law judge based on the information presented above.

OR  b) I waive a hearing and ask for an administrative decision on the information I present directly 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.”

STATE OF WASHINGTON  
UTIL. AND TRANS.  
COMMISSION  
2012 AUG 10 PM 2:00  
RECEIVED  
OPERATIONS MANAGEMENT



**BELLINGHAM TRANSFER & STORAGE, INC.**

500 Carolina Street  
Bellingham, Washington 98225  
360-676-1181 360-676-1182 Fax

31 July 2012

Washington UTC  
P.O. Box 47250  
Olympia, Wa. 98504-7250


Re: Penalty Assessment: TV-120916

I am asking forgiveness of the penalty in the amount of \$375 for late filing of our quarterly report.

Our principal officer was admitted to the hospital in February of this year and was on life support for upwards of 3 weeks. Thankfully she is now recovering at home. However during this time we ran the office a bit haphazardly as we are all family and had to split our time between here and caring for Sandy. And her job she does here also fell on our shoulders.

I ask you to reconsider this late penalty as it would also be a hardship on our already struggling small business.

Thank you for your consideration regarding this matter,

  
Tracey Fisher  
VP/operations