

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT TE-121692

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. **Request for a hearing.** I believe that the alleged violation 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 violation, but I believe that the penalty should be reduced for the reason(s) set out below,

Please read letter included.

- 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: 11-7-12 [month/day/year], at Snohomish, WA [city, state]

Miller Schmer Inc.
Name of Respondent (company) – please print

Matthew E. Scher
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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11618 59th Drive SE
Snohomish, WA 98296
(206) 793-8430

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STATE OF WASHINGTON
UTIL AND TRANSPORTATION
COMMISSION

Miller Schmer Inc.
dba Seattle Express
November 6th 2012

To whom it may concern,

I am in agreement to the violations that had occurred. At the time of these violations I had just begun my summer season and was overwhelmed with work. I did not pay close enough attention to my drivers to ensure they had proper commercial driver license and current medical certificate.

I was aware of the pre-employment drug testing and again let that slip due to the amount of work I had. I was unaware of the fact that I had to have the negative test result back before they began work.

Since my compliance review I have made the necessary changes to ensure that all my drivers are in compliance by bringing in a HR employee who does nothing but handle the driver's files for me.

I take full responsibility for these violations and only ask that if the fine of \$1,000 cannot be reduced could I be on a payment plan. Our season has ended and things are tight.

Thank you,

Matt Schmer
Seattle Express
206-793-8430