

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TV-130965 *BOWER TRANSPORTATION*

PLEASE NOTE: You must complete and sign this document, and send it to the Commission *TV-130965* 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 \$50 in payment of the penalty

Submitted my payment of \$50 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, 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.

We believed this penalty notice was sent in error and contacted Ms. Rae Lynn Carnes for guidance about how to proceed. Ms. Carnes informed us that our Annual Report was received at the WUTC office on Friday, May 3rd and was therefore considered delinquent. Our report and accompanying payment was postmarked (USPS) before the May 1st deadline and we believed that in doing so, we had met the filing requirement. In this instance, it appears the delivery time for our documents was significantly longer than the one to two business days we typically experience for USPS delivery between our Tigard, OR office and the Tacoma/Seattle area. We ask that the late fee of \$50 be waived.

OR b) I waive a hearing and ask for an administrative decision on the information I presented 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: 8/23/13 [month/day/year], at TIGARD, OR [city, state]

Amy McCormick
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.”