



June 5, 2014

Attn of: Washington Utilities and transportation Commission

RE: Penalty assessment: UT-140865.
American Phone Services, Corp

To the Commission,

We are writing this letter respectfully requesting to reconsider the good standing of our company with the commission and, if possible, waive or reduce the amount of the penalty.

Our company submitted the annual report with the commission through the e-file system in a timely manner, on 4/30/2014. Due to an unfortunate situation, during the e-file submission of the Annual report, the financial documentation was omitted.

On 5/6/2014 APS received mailed correspondence from the commission stating that our submission was missing the financials reports. We call the commission the very same day inquiring what the necessary steps to upload our financials were.

We were told to just resubmit the financials through the portal, which we promptly did.

During our conversation with the staff member we inquired about the possibility to keep our documentation confidential; it was suggested to send another copy of our financial document redacted. On 5/9/2014 we uploaded the redacted financials documentation through the portal.

Since APS is now current with its Annual Report and Financial obligations, and has put additional measures in place to prevent this from reoccurring in the future, APS respectfully requests that in reviewing our case the Commission takes into account both the small size of APS' business in Washington and the proactive efforts it took to bring itself into compliance once the matter was brought to our attention. We understand the Commission has the authority to assess administrative penalties for infractions of its Rules, and every day's continuance is a separate and distinct violation.

We request that after careful consideration of the gravity of the infraction, and the timeliness of the response, the Commission will be lenient in dismissing what, if any, penalty should be assessed.

Sincerely,

Riccardo Ferranti
American Phone Services, Corp.
President

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OFFICE OF THE
COMMISSIONER
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT UT-140865

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:

[x] 3. Application for mitigation. I admit the violations, but I believe that the penalty should be reduced for the reasons set out 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 [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: 6/5/2014 [month/day/year], at ALPHARETTA, GA [city, state]

RICCARDO FERRANTI

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.”

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