

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TG-141013

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 _____.

[x] 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:

Please see attached page for explanation -

[] 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 [] 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: 5/28/2014 [month/day/year], at Fruitland, WA [city, state]

ALTON L. MONTGOMERY (dba A&B Services) ALTON L. MONTGOMERY
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."

2014 JUN -2 AM 8:31
UTILITY COMMISSION

May 28, 2014

Washington Utilities & Transportation Commission
PO Box 47250
Olympia, WA 98504-7250

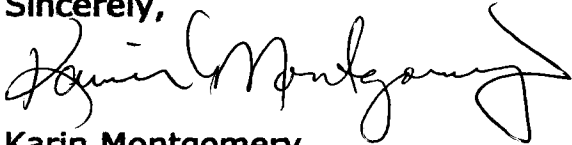
Re: Penalty Assessment TG-141013; Alton L. Montgomery dba A&B Services

Yesterday we received a notice of penalty for violation of rules, stating that our annual report had not been filed. I had filed our 2013 annual report online on May 1, 2014 and received confirmation of receipt (e-file ID: 563). I spoke to Amy Andrews today (May 28) regarding this matter; she informed me that our annual report had been received, but was incomplete as Schedules 2, 2A, and 2B had not been filled out.

We are a very small company serving a rural area with a low population and have made very little profit in the nearly 5 years we have been in business. We have no assets, property, liabilities, debts, or equity; therefore, these schedules do not pertain to us. When I filed our first report in 2010, I was instructed by one of your employees (I believe her name was RaeLynn Carnes) to enter a zero in the totals area of each schedule that did not pertain to us.

This year, the Excel spreadsheet that I downloaded from your website displayed all zeros as "\$ - " and there was a password on the file that would not allow me to change how the zeros were displayed. Understandably, it was perceived as incomplete by whoever received the report there at the Utilities Commission. Ms. Andrews told me an e-mail was sent on May 5 stating our report was incomplete; however, we live out in the country where internet service is sporadic (satellite is our only option, and works only part of the time) so I had not been able to receive this e-mail. I was unaware of any problem regarding our annual report until we received your notice in the mail yesterday. Please consider this request to excuse the penalty assessed against us. I believe we complied with the requirement to file our complete annual report by the deadline, and that this matter is essentially a misunderstanding. I thank you for your time.

Sincerely,



Karin Montgomery
Secretary for Alton L. Montgomery dba A&B Services



Alton L. Montgomery

2014 JUN -2 AM 8:29
RECEIVED
WASHINGTON UTILITIES & TRANSPORTATION COMMISSION