

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TE-160729

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: 7/19/16 [month/day/year], at SPOKANE WA [city, state]

SPOKANE WINERY TOURS
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."

2016 JUL 27 AM 9:22
RECEIVED
UTILITY AND TRANSPORTATION COMMISSION

Spokane Winery Tours
PO Box 1118
Mead, WA 99021

July 18, 2016

RE: Penalty Assessment TE-160729

Washington Utilities and Transportation Commission

To whom it may concern:

Please accept this letter as our formal request for mitigation on the fine imposed on Spokane Winery Tours LLC. It is with admittance that SWT administration did not comply with WAC 480-30-071 and 480-30-076, which requires said company to file an annual report each year by May 1st. Please see the following for our explanation as to why SWT is out of compliance with these WACs.

Spokane Winery Tours is a very small family owned/operated company. Owners, Dustin and Alicia Lindner both have full time employment outside of this company. On November 22, 2015, our home burned to the ground due to the windstorms. All documentation and information regarding the LLC was lost. This hardship has affected all aspects of our lives. Our family, including 4 young children became homeless in an instant and faced a multitude of decisions and trials as we focused on finding temporary living quarters suitable for our special needs child. Throughout this period, we were able to maintain full time employment and keep our children in their home school district in a desperate attempt to keep our world as stable as possible.

We have since found permanent housing and have worked diligently on creating an environment for our children to feel safe and secure. Children are resilient, but only if/when they know stability and security. This above all else is a parent's first priority. However, to do this we allowed other priorities to fall second, and as such, the business of Spokane Winery Tours was not handled with the true professionalism and attention required by ownership during the time period that the annual report was due.

It is with our most heartfelt apologies and sincerity that we ask the Commission to review this case and reduce any and all fees and penalties associated with this assessment.

Thank you for your time and consideration on this matter.

Sincerely:

Spokane Winery Tours LLC

Dustin Lindner



Alicia Lindner

