

**THE TOLEDO TELEPHONE CO., INC.**  
**P.O. BOX 669, TOLEDO, WASHINGTON 98591**  
**TELEPHONE 360-864-4552 FAX 360-864-4488**  
EMAIL INFO@TOLEDOTEL.COM

July 18, 2006

Washington Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

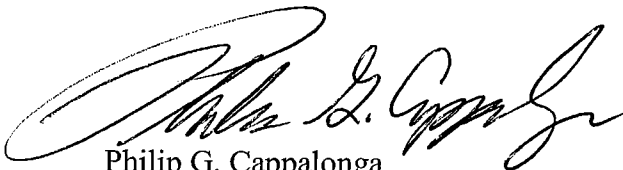
RE : PENALTY ASSESSMENT NO: UT-060977  
PENALTY AMOUNT: \$100

RECEIVED  
RECORDS  
05 JUL 19 AM 10:35  
STATE OF WASHINGTON  
UTILITY AND TRANSPORTATION  
COMMISSION

To Whom It May Concern:

I would like to ask the WUTC to please waive the \$100 penalty for Toledo Telephone Co., Inc. We mailed the Annual Telecommunication Report by FedEx Overnight on 4/28/2006. Enclosed is a copy of the email receipt from FedEx. However, it was not delivered until May 2, 2006. We are hoping that you will come to the conclusion that we mailed the Report in good faith in a timely manner and will waive the \$100 penalty.

Sincerely,



Philip G. Cappalonga  
CFO



**Phil Cappalonga**

**From:** TrackingUpdates@fedex.com  
**Sent:** Friday, April 28, 2006 2:35 PM  
**To:** phil@toledotel.com  
**Subject:** FedEx Shipment Notification

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This tracking update has been requested by:

Name: 'not provided by requestor'

E-mail: 'not provided by requestor'

Message: Annual Telecommunication Report to WUTC and Regulatory Fees

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ERICA D LEWIS, ACCT SUPERVISOR of THE TOLEDO TELEPHONE CO., INC sent Ms. Carole J. Washburn of W.U.T.C. 1 FedEx Standard Overnight package(s).

This shipment is scheduled to be sent on 04/28/2006.

Reference information includes:

Reference: Annual Report/Reg. Fees

The tracking number(s) is (are)  
790411409243

To track the latest status of your shipment, click on the tracking number above, or visit us at [fedex.com](http://fedex.com).

To learn more about FedEx Express, please visit our website at [fedex.com](http://fedex.com).

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to [fedex.com](http://fedex.com).

Disclaimer

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FedEx has not validated the authenticity of any email address.

# WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT, Docket No. UT-060977

**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 \$100 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 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.
- a) I ask for a hearing for a decision by an administrative law judge
- OR  b) I waive a hearing and ask for an administrative decision on the information I present here.

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: 7/18/06 [month/day/year], at Toledo, WA [city, state]

The Toledo Telephone Co., Inc.  
Name of Respondent (company) – please print

  
Signature of Applicant

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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.”