

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

| | | |
|------------------------------|---|--------------------------|
| In re Penalty Assessment No. |) | DOCKET NO. UT-051699 |
| UT-051699 |) | |
| |) | ORDER NO. 02 |
| |) | |
| Eman Networks |) | |
| |) | ORDER RESCINDING PENALTY |

- 1 On December 5, 2005, the Commission issued a penalty assessment against Eman Networks in the amount of \$100 for one violation of WAC 480-120-303, which requires competitively classified telecommunications companies to file annual reports with the Commission no later than May 1 each year. In the penalty, the Commission found that Eman Networks failed to file its 2004 Annual Report until October 25, 2005.

- 2 On January 19, 2005, the Commission received information from Staff that indicated the penalty was based on information provided in error.

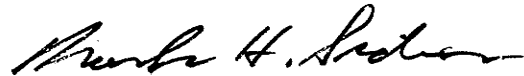
- 3 Eman Networks filed its 2004 Annual Report on June 23, 2005. It failed to file the Regulatory Fee Calculation Sheet or pay the Regulatory Fee payment until October 25, 2005. However, Order No. 1 in Docket No. UT-051699, assessing the penalty, erroneously stated the company failed to file the annual report until October 25, 2005.

- 4 On December 19, 2005, the Commission received payment in full from Eman Networks for the assessed penalty.

ORDER

- 5 The Commission rescinds the penalty issued in the original order in this docket. Staff will revise its records to show there is no amount due from Eman Networks and will issue a refund to Eman Networks for monies received from the company. Upon service of this order, Staff will close the docket.

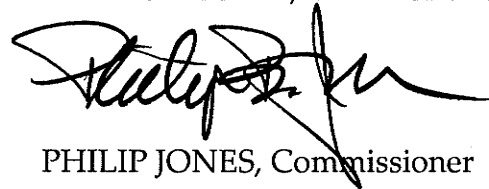
DATED at Olympia, Washington and effective this ~~26th~~ day of January 2006.



MARK H. SIDRAN, Chairman



PATRICK OSHIE, Commissioner



PHILIP JONES, Commissioner

NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-07-850, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-07-870.