June 10, 2011

David W. Danner, Executive Director and Secretary

Washington Utilities and Transportation Commission

1300 S. Evergreen Park Dr. SW

P. O. Box 47250

Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Excalibur Limousine LLC*

Commission Staff’s Response to Application for Mitigation of Penalties

Docket TE-110747

Dear Mr. Danner:

On May 16, 2011, the Washington Utilities and Transportation Commission (commission) issued Penalty Assessment TE-110747 against Excalibur Limousine LLC (Excalibur Limousine) in the amount of $100, for one violation of Washington Administrative Code (WAC) 480-30-071, which requires charter and excursion carriers to furnish annual safety reports to the commission no later than December 31 each year.

On May 23, 2011, Excalibur Limousine filed with the commission its application for mitigation of penalties (Mitigation Request). Excalibur Limousine admitted the alleged violation but asked that the penalty amount be waived.

In its Mitigation Request, Excalibur Limousine does not dispute that the violation occurred. The company states that during 2010 it operated only one vehicle, part time, and had no accidents or safety incidents of any kind. The company stated that it did not recall receiving a letter from Mr. Danner, but would fill out a form if “someone would kindly send” one.

The initial annual report letter and reminder notice were sent to the same address the Penalty Assessment was sent. Additionally, annual report forms are available on the commission’s website. The company had access to the form, and was responsible for filling it out and sending it in.

Staff does not support mitigating the assessed penalty based on Excalibur Limousine’s Mitigation Request and recommends the request be denied.

If you have any questions, please contact Rayne Pearson, Compliance Investigator, at 360-664-1111, or at [rpearson@utc.wa.gov](mailto:rpearson@utc.wa.gov).

Sincerely,

Sharon Wallace, Assistant Director

Consumer Protection and Communications

Enclosures