

UW-120859

RECEIVED

AUG 15 2012

WASH. UT. & TP. COMM

AUG. 10, 2012

JAMES K. GARRISON
BURTON WATER CO.
10930 SW 238 ST.
VASHON, WA. 98070

W.U.T.C.
P.O. Box 47250
OLYMPIA, WA. 98504-7250

STATE OF WASH.
UTIL. AND TRAFFIC
COMMISSION
2012 AUG 15 AM 9:27
RECEIVED
FINANCIAL MANAGEMENT

TO WHOM IT MAY CONCERN:

BURTON WATER CO WOULD LIKE TO PRESENT THE FOLLOWING NOT AS AN EXCUSE BUT SIMPLY AN EXPLANATION FOR THIS VIOLATION AND SUBSEQUENT DELAY IN RETURNING THIS FORM.

BURTON WATER CO DID RECEIVE THE FEB. 29, 2012 PACKET AND PASSED IT ON TO OUR ACCOUNTANT, LAKE, KENNEDY, McCULLOCH. BARB O'BLOCK WHO HANDLES OUR BUSINESS SAID THE MAY DUE DATE AND MISREAD IT AS MAY 31ST. WHEN THE COMPANY RECEIVED NOTICE FROM THE COMMISSION THAT THE REPORT HAD NOT BEEN FILED THE COMPANY IMMEDIATELY RESPONDED WITH THE FILING OF THE REPORT.

ON JULY 13, 2012 THE COMMISSION SENT OUT A NOTICE THAT THE COMPANY HAD ESTABLISHED A \$300.⁰⁰ PENALTY AGAINST THE COMPANY FOR THE LATE FILING. UNFORTUNATELY, I WAS ON VACATION AND THE MAIL WAS BEING HELD BY THE POST OFFICE. WHEN I RETURNED FROM VACATION ON AUGUST 7TH I IMMEDIATELY NOTIFIED BARB O'BLOCK AND THE COMPANY PAID THE PENALTY ON LINE ON AUGUST 9TH.

THE COMPANY WISHES TO APOLOGIZE FOR MISSING

THE DEADLINE FOR THE ANNUAL REPORT AND FOR THE UNFORTUNATE TARDINESS OF THE PENALTY PAYMENT. THE COMPANY STRIVES TO MEET OUR OBLIGATIONS AND THE RECORDS WILL SHOW THAT WE HAVE NOT MISSED THIS DEADLINE BEFORE.

THE COMPANY ALSO WOULD LIKE TO THANK THE COMMISSION FOR REDUCING THE PENALTY FROM \$100.⁰⁰ TO \$25.⁰⁰ PER DAY.

SINCERELY,

James K. Herin
V.P. BURTON WATER CO.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT UW-120859

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 \$300 in payment of the penalty

Submitted my payment of \$300 online at www.utc.wa.gov. My confirmation number is 1068.

2. **Request for a hearing.** I believe that one or more of the alleged violations did not occur, based on the following information, and request a hearing, which is a process that allows an affected person to present argument to an administrative law judge for a decision by an administrative law judge:

3. **Application for mitigation.** I admit the violations, 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 based on the information presented above.

OR b) I waive a hearing and ask for an administrative decision on the information I present directly 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: 8/10/12 [month/day/year], at VASHON, WA. [city, state]

BURTON WATER CO.
Name of Respondent (company) – please print

James K. Hanin
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.”