



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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August 12, 2016

Steven V. King, Executive Director and Secretary
Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Maxim, LLC*

Commission Staff's Response to Application for Mitigation of Penalties TV-160629

Dear Mr. King:

On June 29, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TV-160629 against Maxim, LLC ("Maxim" or "Company") for 10 violations of Washington Administrative Code (WAC 480-15-480), which requires household good moving companies to furnish annual reports and the regulatory fee to the commission no later than May 1 each year, or in this case, May 2 as May 1 was a Sunday.

On August 11, 2016, Maxim wrote the commission requesting mitigation of penalties. In its mitigation request, Maxim does not dispute the violation occurred. The company states, "...I am applying for mitigation as I didn't do any moving jobs in 2015, also, I didn't receive any letters asking for that as I moved twice between February and May. As discussed on the phone (August), I thought that there is nothing to file on a yearly basis. Please, I am asking for penalty waiver as I didn't even get any business income from moving jobs during this year."

It is the company's responsibility to ensure that the regulatory fee is paid and the annual report is filed by the May 1 deadline, or in this case, May 2 as May 1 was a Sunday. On February 29, 2016, Annual Report packets were mailed to all regulated household good moving companies. The instruction page informs the regulated company that it must complete the annual report form, provide the supporting financial reporting documents and pay the regulatory fees, and return the materials by May 2, 2016, to avoid enforcement action.

On August 12, 2016, Maxim filed a complete annual report. A regulatory fee was not due as the company reported zero revenue.

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Maxim became an active company in 2015. As this is a newly formed company, it is staff's recommendation that the penalty be reduced to \$25 per day for a total penalty assessment of \$250. Furthermore, the company reported zero revenue and Staff recommends that the \$250 penalty be suspended on the condition that the 2016 annual report is provided and the regulatory fee is paid prior to May 1, 2017.

If you have any questions regarding this recommendation, please contact Sean Bennett, Regulatory Analyst, at (360) 664-1157, or sbennett@utc.wa.gov.

Sincerely,



Sondra Walsh, Director
Administrative Services