



STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

August 5, 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. First USA VanLines, LLC*
Commission Staff's Response to Application for Mitigation of Penalties
Docket TV-111130

Dear Mr. Danner:

On July 13, 2011, the Washington Utilities and Transportation Commission issued Penalty Assessment TV-111130 against First USA VanLines, LLC (First USA) in the amount of \$100, for one violation of Washington Administrative Code (WAC) 480-30-071, which requires household goods carriers to furnish annual safety reports to the commission no later than May 1 each year.

On July 26, 2011, First USA filed with the commission its application for mitigation of penalties (Mitigation Request). First USA admitted the alleged violation but asked that the penalty amount be waived.

In its Mitigation Request, First USA does not dispute that the violation occurred. The company states that it does business in Phoenix, Arizona, but its accounting department is in Los Angeles. The company claimed it received the "document" past the due date, and requested the penalty be reduced "due to the inconvenience of accounting address."

The company's address on file with the commission is in Phoenix, Arizona, not Los Angeles. It is the company's responsibility to ensure mail is forwarded to the proper internal department or change the address the company has on file with the commission.



David W. Danner

August 5, 2011

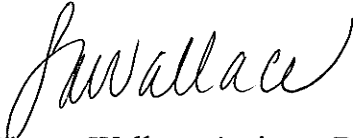
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On March 11, 2011, Annual Report forms and Regulatory Fee packets were mailed to all regulated household goods carriers. On April 20, 2011, the commission mailed a reminder notice to all regulated companies. On May 13, staff sent a third letter to companies that had not yet filed an annual report. First USA had substantial time and sufficient notice to file its annual report, if not by the May 1 deadline, then by the May 27 extension deadline.

Staff does not support mitigating the assessed penalty based on First USA'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.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Wallace".

Sharon Wallace, Assistant Director
Consumer Protection and Communications

Enclosures