August 10, 2012

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. Career Path Services Employment & Training*

Commission Staff’s Response to Application for Mitigation of Penalties

Docket TN-120894

Dear Mr. Danner:

On July 11, 2012, the Washington Utilities and Transportation Commission issued a $300 Mitigated Penalty Assessment in Docket TN-120894 against Career Path Services Employment & Training for 21 violations of Washington Administrative Code (WAC) 480-31-080, which requires non-profit transportation providers to furnish annual reports to the commission no later than May 1 each year.

On July 26, 2012[[1]](#footnote-1), Career Path Services Employment & Training wrote the commission requesting mitigation of penalties (Mitigation Request). In its Mitigation Request, Career Path Services Employment & Training does not dispute that the violation occurred. The company states, “I request that this penalty be reduced due to my administrative oversight. Additionally, I have created a monthly checklist of duties and this annual procedure has been added to my monthly checklist so this is not missed in the future.”

It is the company’s responsibility to ensure that the regulatory fee and the annual report are filed by the May 1 deadline. On February 29, 2012[[2]](#footnote-2), Annual Report forms and Regulatory Fee packets were mailed to all regulated non-profit transportation providers. In addition to other information, the cover letter informed the regulated company it must complete the annual report form, pay any regulatory fees and return the material by May 1, 2012 to avoid enforcement action. On May 14, 2012[[3]](#footnote-3), the commission mailed a letter to those companies that had not yet filed an annual report notifying them that, to date, they had incurred a penalty of $800. The letter went on to explain that companies who filed their annual reports no later than May 25, 2012, would receive mitigated penalties of $25 per day, with an additional $25 per day for each instance in the previous five years that the company received a penalty for filing a late report.

Career Path Services Employment & Training filed its annual report on May 17, 2012, which is 12 business days past the deadline of May 1, 2012. The penalty was mitigated from $100 per day to $25 per day for a total of $300. Career Path Services Employment & Training became regulated in September 1995 and has never received a penalty for filing a delinquent annual report.

Staff supports mitigating the assessed penalty from $300 to $150, which represents a 50 percent reduction because this is Career Path Services Employment & Training’s first late filing.

If you have any questions, please contact Mathew Perkinson, Compliance Investigator, at (360) 664-1105, or at Mperkinson@utc.wa.gov.

Sincerely,

Sharon Wallace, Assistant Director

Consumer Protection and Communications

**Attachment A**







**Attachment B**

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**Attachment C**

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1. See attachment A for a copy of Career Path Services Employment & Training Mitigation Request. [↑](#footnote-ref-1)
2. See attachment B for a copy of the letter sent to all regulated companies on February 29, 2012. [↑](#footnote-ref-2)
3. See attachment C for a copy of the enforcement letter sent to the company on May 14, 2012. [↑](#footnote-ref-3)