June 16, 2014

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. Aguilar, Juan*

 Commission Staff’s Response to Application for Mitigation of Penalties TE-141045

Dear Mr. King:

On May 23, 2014, the Utilities and Transportation Commission issued a $1,000 Penalty Assessment in Docket TE-141045 against Juan Aguilar for 10 violations of Washington Administrative Code (WAC) 480-30-071, which requires charter and excursion carriers to furnish annual reports to the commission no later than May 1 each year.1

On June 6, 2014, Juan Aguilar wrote the commission requesting mitigation of penalties (Mitigation Request).2 In its Mitigation Request, Juan Aguilar does not dispute that the violation occurred. The company states, “I apologize for failing to submit the forms. J.C. Limousine Service is a newly established business therefore, I am still in the process of learning all the regulations and procedures of the business.” The company continues, “Since J.C. Limousine is a newly established business it did not operate in 2013 therefore it had zero mileage to report.”

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. On February 28, 2014, Annual Report packets were mailed to all regulated charter and excursion companies. The instructions for annual report completion page of the annual report informed the regulated company that it must complete the annual report form, pay the regulatory fees, and return the materials by May 1, 2014, to avoid enforcement action.

On June 9, 2014, Aguilar, Juan filed the 2013 annual report and timely paid the required regulatory fees on December 31, 2013. The company has been active since August 13, 2013.

UTC Annual Reports

June 16, 2014

Page 2

No previous violations of WAC 480-30-071 are on commission record. The UTC also recently adopted new rules requiring the annual report to be filed by May 1 while the regulatory fees remained due on December 31. Despite the commission communication regarding these

filing changes to all regulated charter and excursion companies, commission staff supports the company’s request for mitigation. Staff recommends a reduced penalty assessment of $200.

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

Sincerely,

Sondra Walsh, Director

Administrative Services

ATTACHMENT A







ATTACHMENT B



