

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET UW-143980
TRANSPORTATION COMMISSION,)	<i>(Consolidated)</i>
)	
Complainant,)	
)	
v.)	
)	
PELICAN POINT WATER)	
COMPANY,)	
)	
Respondent.)	
)	
_____)	
)	
WASHINGTON UTILITIES AND)	DOCKET UW-150548
TRANSPORTATION COMMISSION,)	<i>(Consolidated)</i>
)	
Complainant,)	
)	DECLARATION OF AMY
v.)	ANDREWS
)	
JILL GOODRICH,)	
)	
Respondent.)	
)	
_____)	

I, AMY ANDREWS, hereby declare under penalty of perjury under the laws of the State of Washington that the following is true and correct.

1 I am, and at all times hereinafter mentioned have been, a citizen of the United States,
over the age of 18, have personal knowledge regarding the matters stated herein, and
am competent to testify as a witness.

2 I am employed by the Washington Utilities and Transportation Commission
(Commission) where I have worked as a Regulatory Analyst in the Administrative
Services Division for three years. As a Regulatory Analyst, my responsibilities
include conducting compliance investigations of regulated utility and transportation
companies. As part of those duties, I investigate water companies that have failed to
timely submit required filings or payments.

3 According to Commission records, Pelican Point Water Company (Pelican or
Company) has failed to file its annual report and to pay its regulatory fees, as required
by WAC 480-110-505, for each of the 2010, 2011, 2012, and 2013 reporting years.
Every violation of WAC 480-110-505 is a separate and distinct offense, and in the
case of a continuing violation, every day's continuance is a separate and distinct
violation. The Commission interprets noncompliance with WAC 480-110-505 as a
continuing violation, and thus a separate and distinct offense for each business day
that the Company fails to file its reports or to pay its regulatory fees after they are
due.

4 Pelican's 2012 annual report and regulatory fees were due on May 1, 2013. On July
30, 2013, the Commission assessed a penalty of \$1,800 against the Company for

violating the filing requirements for 18 business days. See Docket UW-130895.

Pelican paid that penalty on August 13, 2013, but did not file its annual report or pay its regulatory fees for the 2012 reporting year. Pelican has yet to file its 2012 annual report or to pay its 2012 regulatory fees. As of the close of business on March 31, 2015, Pelican's 2012 annual report and regulatory fees were each 479 business days past due. Less the violations already accounted for in the July 30, 2013 penalty assessment, Pelican has committed 461 separate and distinct violations of WAC 480-110-505 by failing to file its 2012 annual report, and an additional 461 separate and distinct violations of WAC 480-110-505 by failing to pay its 2012 regulatory fees.

- 5 Pelican's 2013 annual report and regulatory fees were due on May 1, 2014. On May 29, 2014, the Commission assessed a penalty of \$1,000 against the Company for violating the filing requirements for 10 business days. See Docket UW-140851. Pelican paid the penalty on June 9, 2014, but did not file its annual report or pay its regulatory fees for the 2013 reporting year. Pelican has yet to file its 2013 annual report or to pay its 2013 regulatory fees. As of the close of business on March 31, 2015, Pelican's 2013 annual report and regulatory fees were each 229 business days past due. Less the violations already accounted for in the May 29, 2013 penalty assessment, Pelican has committed 219 separate and distinct violations of WAC 480-110-505 by failing to file its 2013 annual report, and an additional 219 separate and distinct violations of WAC 480-110-505 by failing to pay its 2013 regulatory fees.

- 6 In total, Pelican has committed 1,360 separate and distinct violations of WAC 480-110-505—680 violations for failing to file its 2012 and 2013 annual reports, and another 680 violations for failing to pay its 2012 and 2013 regulatory fees.
- 7 According to Commission records, Jill Goodrich is the owner and the authorized representative of Pelican. Ms. Goodrich is ultimately responsible for filing Pelican’s annual report and paying its regulatory fees each year. Ms. Goodrich knew, or should have known, of these requirements because in response to both above-mentioned penalty assessments she testified under penalty of perjury under the laws of Washington State that the violations occurred. Ms. Goodrich also paid both penalty assessments for the Company. Commission staff (Staff) therefore contents that Ms. Goodrich is the officer, agent or employee of Pelican who violated or who procured, aided or abetted in the violation of WAC 480-110-505.
- 8 On October 15, 2014, the Commission mailed Ms. Goodrich a Notice of Noncompliance detailing Pelican’s failure to comply with WAC 480-110-505 for the 2010, 2011, 2012, and 2013 reporting years. The notice provided the Company until November 15, 2014, to file each delinquent report and pay all corresponding regulatory fees to avoid an enforcement action against the Company and its officers, agents, and employees. The Commission did not receive the delinquent filings or any other response to the notice from the Company.

- 9 Staff therefore recommends that the Commission find that Pelican has committed 1,360 separate and distinct violations of WAC 480-110-505, and that the Commission impose monetary penalties on Pelican under RCW 80.04.380 of up to \$1,000 for each violation. Staff further recommends that the Commission find that Jill Goodrich, as owner and authorized representative of Pelican, committed the 1,360 violations, and that the Commission, in addition to the penalty assessment on the Company, impose monetary penalties on Jill Goodrich under RCW 80.04.405 of up to \$100 for each violation.
- 10 I certify under penalty of perjury, under the laws of the State of Washington, that the foregoing is true and correct.

DATED this 13th day of April, 2015, at Olympia, Washington.

AMY ANDREWS
Regulatory Analyst
Staff of the Washington Utilities and
Transportation Commission