



STATE OF 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

June 17, 2015

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. CATTCOMM LLC*

Commission Staff's Response to Application for Mitigation of Penalties UT-150802

Dear Mr. King:

On June 2, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-150802 against CATTCOMM LLC for 10 violations of Washington Administrative Code (WAC 480-120-382), which requires telecommunications companies to furnish annual reports to the commission no later than May 1 each year.

On June 8, 2015, CATTCOMM LLC wrote the commission requesting mitigation of penalties. In its mitigation request, CATTCOMM LLC does not dispute the violation occurred. The company states, "CATTCOMM LLC is a newly established CLEC achieving CLEC status mid year 2014. When the company received the 2014 annual report forms we contacted the WUTC directly. We spoke with Ms. Susie Paul and explained that we did not have operations as a CLEC in 2014. Ms. Paul informed us that it would not be necessary to complete the annual report form and that an email explaining our 2014 status should be emailed to her and that her reply would be confirmation of the waiver". The company provided a copy of the email communication and request a waiver of the penalty.

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 27, 2015, Annual Report packets were mailed to all regulated telecommunications 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, 2015, to avoid enforcement action.

¹Data Request Letter mailed by the commission March 23, 2015 from Steven V. King

UTC Annual Reports

June 15, 2015

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As of June 16, 2015, CATTCOMM LLC has not filed its 2014 annual report or paid any regulatory fees owed. The company has been active since September 29, 2014. The communications between Susie Paul, Compliance Investigator and CATTCOMM LLC were related to a data request letter mailed March 23, 2015 to all regulated telecommunications companies signed by Steven V. King, Executive Director and Secretary¹. The email communication provides no reference to a waiver for filing the annual report. While staff does not support waiving the penalty, staff supports the company's request for mitigation as this is the company's first delinquent filing. Staff recommends a reduced penalty of \$25 per day resulting in a total penalty assessment of \$250 subject to a completed 2014 annual report being submitted and any regulatory fees owed being paid.

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



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March 23, 2015

Dear Telecommunication Company Representative:

The Utilities and Transportation is currently reviewing the business practices of all telecommunication companies related to customer forms and invoices.

Under Washington state law RCW 80.04.090, the commission has the authority to inspect the accounts, books, papers, and documents of any investor-owned water company doing business in this state.

In order to complete this review, commission staff require the following documents and information:

1. A current copy of your service application.
2. A current copy of a customer bill.
3. A current copy of both your first and second disconnect notice.
4. Name and contact information for the individual who will respond to any follow-up requests.

Please provide all requested documents and information by April 6, 2015. The response should be directed to Susie Paul, Compliance Investigator, Consumer Protection. Ms. Paul may be reached at (360) 664-1105 or spaul@utc.wa.gov. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. V. King".

Steven V. King
Executive Director and Secretary

