



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 26, 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. TeleSpan Communications, LLC*

Commission Staff's Response to Application for Mitigation of Penalties UT-150850

Dear Mr. King:

On June 5, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-150850 against TeleSpan Communications, 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 15, 2015, TeleSpan Communications, LLC wrote the commission requesting mitigation of penalties. In its mitigation request, TeleSpan Communications, LLC does not dispute the violation occurred. The company provided acknowledgement that the financial information which was submitted as confidential did not adhere to WAC 480-07-160 which resulted in the report being considered incomplete. TeleSpan Communications, LLC also acknowledged commission staff notified the company of the discrepancy on April 24, 2015. The company requests the penalty be reduced to \$100 for a single code violation.

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.

On April 23, 2015, TeleSpan Communications, LLC filed an incomplete 2014 annual report with no regulatory fees owed. Commission staff emailed the company on April 24, 2015 to notify the company of the deficiency. TeleSpan Communications, LLC responded on June 10, 2015 with revised documents resulting in a completed annual report. The company has been

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active since 2009. No prior violations of WAC 480-120-382 are on commission record. Staff supports the company's request for mitigation as this is the first delinquent filing. Staff recommends a reduced penalty of \$25 per day for a total penalty assessment of \$250.

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

Sincerely,



Sondra Walsh, Director  
Administrative Services