



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 24, 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. Butler Transportation, LLC*

Commission Staff's Response to Application for Mitigation of Penalties TE-151012

Dear Mr. King:

On June 9, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-151012 against Butler Transportation, LLC 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.

On June 11, 2015, Butler Transportation, LLC wrote the commission requesting mitigation of penalties. In its mitigation request, Butler Transportation, LLC does not dispute the violation occurred. The company's response states, "I was under the impression that our bookkeeper was handling the filing of the report, in turn she thought I was filing it. As soon as I received notice that the report was not filed, I had our bookkeeper complete the reports online that same day at 9:30pm on 6/8/2015".

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 charter and excursion carriers. 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 June 8, 2015, Butler Transportation, LLC filed an incomplete annual report. The company paid the required regulatory fees on November 25, 2014. On June 10, 2015, Butler Transportation, LLC filed a complete annual report. Butler Transportation, LLC has been active since 2009. Staff supports mitigation of the penalty as this is the company's first delinquent filing. Staff recommends a reduced penalty of \$25 for a total penalty assessment of \$250.

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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