



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. Felix, John*

Commission Staff's Response to Application for Mitigation of Penalties TE-151022

Dear Mr. King:

On June 9, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-151022 against John Felix 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 15, 2015, John Felix wrote the commission selecting the box to request mitigation based solely on information provided. However, in its mitigation request, John Felix requests a hearing but does not dispute the violation occurred. The company's response states, "I believe I had payed an done the annual regulatory fee report on line if you look at records I payed 25.00 for the one vehicle I have Dec. 31<sup>st</sup> 2014 and didn't receive anything showing I didn't complete it till now so I except my responsibility as a owner but the fine I believe is excessive please understand".

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.

As of June 26, 2015, John Felix has not filed a 2014 annual report. The company paid the required regulatory fees on January 2, 2015. Commission staff contacted the company on June 24, 2015 via email to provide the annual report document. John Felix has been active since May 2, 2014. Staff supports the request for mitigation as this is the company's first delinquent filing.

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Staff recommends a reduced penalty of \$25 per day for a total penalty assessment of \$250 subject to the commission receiving a complete 2014 annual report.

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