



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 30, 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. Fun Way To Go, LLC*

Commission Staff's Response to Application for Mitigation of Penalties TE-151024

Dear Mr. King:

On June 9, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-151024 against Fun Way to Go, 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 22, 2015, Fun Way to Go, LLC wrote the commission requesting mitigation of penalties. In its mitigation request Fun Way to Go, LLC does not dispute the violation occurred. The company's response states, "Being small business only have part time need for book keeping. He wasn't able to come in the 3rd week of April due to not feeling well and his other job. Soon as it came to my attention that this report had not been made I got right on it got it faxed in that very afternoon". The company requests the penalty be waived.

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 May 26, 2015 Fun Way to Go, LLC filed a complete annual report. The company paid the required regulatory fees on January 15, 2015. Fun Way to Go, LLC has been active since 2013. No prior violations of WAC 480-30-071 are on commission record. 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.

Sincerely,



Sondra Walsh, Director
Administrative Services