



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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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. Tyson Glawe, LLC*

Commission Staff's Response to Application for Mitigation of Penalties TE-151054

Dear Mr. King:

On June 10, 2015, the Utilities and Transportation Commission issued a \$300 Penalty Assessment in Docket TE-151054 against Tyson Glawe, LLC for 3 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 25, 2015, Tyson Glawe, LLC wrote the commission requesting mitigation of penalties. In its mitigation request Tyson Glawe, LLC does not dispute the violation occurred. The company's response states, "I find the paperwork to be very confusing, on what parts need to fill out by me, and what parts I do not. I had many questions, and getting through on the phones is about impossible. Once I did get in contact with Katie Hancock she was very helpful with getting my report completed and turned in. \$300 is a sizable amount to me, any forgiveness would be greatly appreciated!".

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 6, 2015, Tyson Glawe, LLC filed a complete annual report. The company paid the required regulatory fees on December 31, 2014 and paid for an additional vehicle not reported in December with late payment penalties on May 6, 2015. Tyson Glawe, LLC has been active since 2007. The company previously missed the deadline for filing its annual report for the 2013 reporting year. Mitigation was received for the 2013 penalty assessment. Due to the prior

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violation of WAC 480-30-071 and the company not providing any compelling information, staff does not support any mitigation of the penalty.

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