



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

August 2, 2016

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. Thomas Earl Harris*

Commission Staff's Response to Application for Mitigation of Penalties TV-160622

Dear Mr. King:

On June 28, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TV-160622 against Thomas Earl Harris for 10 violations of Washington Administrative Code (WAC 480-15-480), which requires household good moving companies to furnish annual reports and the regulatory fee to the commission no later than May 1 each year, or in this case, May 2 as May 1 was a Sunday.

On July 8, 2016, Thomas Earl Harris wrote the commission requesting mitigation of penalties. In its mitigation request, Thomas Earl Harris does not dispute the violation occurred. The company states, "...I apologize for the mishap. I honestly do not recall getting your notice. I am a small company, one truck and myself. Being preoccupied with the welfare and health of elderly parents have distracted me of late. I am not making much income but would like to remain in service so I humbly request as much consideration as possible to resolve this issue and move on. I just paid my insurance which was \$4,000. Another large payment along with regular expenses would be a hardship."

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, or in this case, May 2 as May 1 was a Sunday. On February 29, 2016, Annual Report packets were mailed to all regulated household good moving companies. The instruction page informs the regulated company that it must complete the annual report form, provide the supporting financial reporting documents and pay the regulatory fees, and return the materials by May 2, 2016, to avoid enforcement action.

On July 28, 2016, Thomas Earl Harris filed a complete annual report and paid the regulatory fees owed.

Thomas Earl Harris became an active company in 2013 and previously filed the 2013 annual report late. The 2013 penalty was waived. Although Thomas Earl Harris violated WAC 480-15-480 in 2013, the 2014 annual report was filed on time and this is a smaller company. As such, it is staff's recommendation that the penalty be reduced to \$50 per day for a total penalty assessment of \$500.

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

Sincerely,



Sondra Walsh, Director  
Administrative Services