



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

July 19, 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. Earl Alexander*

Commission Staff's Response to Application for Mitigation of Penalties TE-160673

Dear Mr. King:

On June 20, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-160673 against Earl Alexander for ten violations of Washington Administrative Code (WAC 480-30-071 and 480-30-076), which requires charter and excursion carrier companies to furnish annual reports, supporting documentation 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 5, 2016, Earl Alexander wrote the commission requesting mitigation of penalties. In its mitigation request, Earl Alexander does not dispute the violation occurred. The company did not provide a written statement.

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 29, 2016, Annual Report packets were mailed to all regulated charter and excursion carrier companies. The instruction page informs the regulated company that it must complete the annual report form and pay the regulatory fees, and return the materials by May 2, 2016, to avoid enforcement action.

The annual report and any applicable regulatory fee is still outstanding.

Earl Alexander has been active since 2015 and this is their first filing. As the company is new, staff would be amenable to support mitigation and a reduction of the penalty to \$25 per day if the company files the 2015 annual report and pays the regulatory fees owed by August 5, 2016.

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

Sincerely,



Sondra Walsh, Director
Administrative Services