



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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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. Beach Transportation Company*

Commission Staff's Response to Request for Hearing TE-160685

Dear Mr. King:

On June 13, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-160685 against Beach Transportation Company for 10 violations of Washington Administrative Code (WAC 480-30-071 and 480-30-076), which requires charter and excursion 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, Beach Transportation Company wrote the commission requesting a hearing disputing the violation occurred. In its hearing request, the company states, "...as a motor coach carrier based in Montana, I was unaware of the need to continuously file reports with the WUTC when no regulated service was performed and no revenue was generated. Beach Transportation is a family owned company based in Montana. We were called into service to help transport people for the PGA golf tournament in June of 2015. After helping, I was told by the Washington Department of Revenue that I needed to pay a tax and that I would then be in compliance with all Washington State regulations. At a later date, WUTC then registered us and I dutifully paid the filing fee, thinking that was the end requirement. We have not performed any services in Washington State since the golf tournament and don't plan on doing so in the future. After talking with Sean Bennett of the UTC, I have filed a release of Authority for Cancellation."

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 charter and excursion companies. The instructions 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.

Staff does not support the company's request for hearing as commission staff did not receive an annual report prior to the May 2 deadline and it is the company's responsibility to file a complete and accurate annual report.

Beach Transportation Company has been active since 2015. On June 30, 2016, Beach Transportation Company voluntarily cancelled their certificate in docket TE-160843 and has had zero WA intrastate operations in 2016. Staff recommends the penalty be waived as the company will no longer be regulated by the commission.

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