



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 13, 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. Caleb N. Bowe*

Commission Staff's Response to Application for Mitigation of Penalties TE-160690

Dear Mr. King:

On June 20, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-160690 against Caleb N. Bowe 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 June 30, 2016, Caleb N. Bowe wrote the commission requesting mitigation of penalties. In its mitigation request, Caleb N. Bowe does not dispute the violation occurred. The company states, "...within the last 12 months our mailing address has changed because we're renting a house temporarily while having some construction done on our house. We had a baby born in June of 2015 which prompted our move. I apologize for not having all of the affairs' in order. All of our mail is not being mailed to our new and temporary address. I will make sure all necessary paper work is on time in the future."

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 commission did not receive the annual report, nor the regulatory fee prior to May 2. On June 30, the Commission received a complete annual report and payment of the outstanding regulatory fee.

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Caleb N. Bowe has been active since 2014 and filed their 2014 annual report on time. As the company previously filed on time and is a newer company, it is staff's recommendation that the penalty be reduced to \$25 per day for a total penalty assessment of \$250.

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