



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. Experience Oregon, Inc.*

Commission Staff's Response to Application for Mitigation of Penalties TE-160696

Dear Mr. King:

On June 21, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-160696 against Experience Oregon, Inc. for ten violations of Washington Administrative Code (WAC 480-30-071 and 480-30-076), which requires charter and excursion 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 6, 2016, Experience Oregon, Inc. wrote the commission requesting cancellation of penalties. In its request, Experience Oregon, Inc. disputes that the violation occurred. The company states, "...Experience Oregon, Inc. is an Oregon based operation with no intra-state business in the State of Washington. Our tours and charters originate and terminate in Oregon. In 2015 we were informed that we needed to apply for a Washington account to complete a specific charter. After it was discovered that this was incorrect information new attempted several times to cancel the account. In a telephone conversation with a department representative last fall we were told that the account would be closed and no further reporting would be required. We received a letter in February 2016 from the Department of Revenue confirming the closure of the account as of June 30, 2015. A copy of that letter is attached. When we did not receive further telephone calls we believed the issue had been resolved.

It is the company's responsibility to ensure that the regulatory fee is paid (if applicable) 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 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.

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Experience Oregon, Inc. became active in 2015. Experience Oregon, Inc. had zero intrastate operations in 2015 and their certificate was closed May 11, 2016 in docket TE-160483. As Experience Oregon, Inc. is no longer a regulated company, staff recommends the penalty be waived.

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