



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 25, 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. H.I.S. International Tours (NY), Inc.*

Commission Staff's Response to Application for Mitigation of Penalties TE-160702

Dear Mr. King:

On June 21, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-160702 against H.I.S. International Tours (NY), Inc. 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 11, 2016, H.I.S. International Tours (NY), Inc. wrote the commission requesting mitigation of penalties. In its mitigation request, H.I.S. International Tours (NY), Inc. does not dispute the violation occurred. The company states, "...I apologize for not filing an annual report by May 2, 2016. Unfortunately the Seattle branch manager left office suddenly for family reasons. Due to this, the office was in the midst of transition. Our main office is located in Los Angeles and General Affairs Manager ordered the Seattle Manager to file the annual report; however, this procedure was not complete. To ensure that this does not happen again, we will make sure that succession of affairs will proceed well within our employees and bring attention to crucial deadlines."

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.

UTC Annual Reports  
July 25, 2016  
Page 2

On July 11, 2016 H.I.S. International Tours (NY), Inc. provided the complete annual report and paid the regulatory fee.

H.I.S. International Tours (NY), Inc. has been active since 2013 and filed their 2013 annual report late. H.I.S. International Tours (NY), Inc. paid the \$200 penalty assessment in full. Although the company previously violated WAC 480-30-071 and 480-30-076, H.I.S. International Tours (NY), Inc. recently experienced staffing changes and did not previously request mitigation. As such, staff recommends 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