



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 26, 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. Scenic Bound Tours Co.*

Commission Staff's Response to Application for Mitigation of Penalties TE-160726

Dear Mr. King:

On June 22, 2016, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TE-160726 against Scenic Bound Tours Co. (SBTC) 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 12, 2016, SBTC wrote the commission requesting mitigation of penalties. In its mitigation request, SBTC does not dispute the violation occurred. The company states, "... I apologize for the delay in filing. I did not receive the notice due to lack of communication with the employee who checks our P.O. Box. The moment I found out about the late notice I e-filed. On July 11, 2016 I reached out to Sean Bennett, to ensure I was doing diligence in changing our address so this won't happen again. SBTC has been in business for 25 years and we work hard to ensure we are compliant."

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.

SBTC submitted the complete annual report and regulatory fee on July 11, 2016.

UTC Annual Reports

July 26, 2016

Page 2

SBTC has been active since 2001 and does not have any violations of WAC 480-30-071 and 480-30-076. In consideration of the company's long running compliance, staff recommends 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](mailto:sbennett@utc.wa.gov).

Sincerely,

Sondra Walsh, Director  
Administrative Services