

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**PENALTY ASSESSMENT TE-170612**

**PLEASE NOTE:** You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

1. **Payment of penalty.** I admit that the violations occurred. I have:
- Enclosed \$ \_\_\_\_\_ in payment of the penalty
- Submitted my payment of \$ \_\_\_\_\_ online at [www.utc.wa.gov](http://www.utc.wa.gov). My confirmation number is \_\_\_\_\_.
2. **Contest the violation.** I believe that one or more of the alleged violations did not occur, for the reasons I describe below (if you do not include reasons supporting your contest of the violations here, your request will be denied):
- a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision
- OR
- b) I ask for a Commission decision based solely on the information I provide above.
3. **Application for mitigation.** I admit the violations, but I believe that the penalty should be reduced because the violations occurred due to circumstances beyond my control, as explained below (if you do not include reasons that support your application for mitigation here, your request will be denied):
- SEE STATEMENT ATTACHED
- a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision
- OR
- b) I ask for a Commission decision based solely on the information I provide above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: June 30, 2017 [month/day/year], at Raleigh, NC [city, state]

Dillard - Lewis, Inc. by Valerie Denning  
Name of Respondent (company) - please print Signature of Applicant 

RCW 9A.72.020:

"Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony."

**DILLARD-LEWIS, INC**  
**HIGHLAND EXPRESS SHUTTLE SERVICE**  
**P. O. BOX 40686**  
**RALEIGH, NC 27629**

June 30, 2017

Washington Utilities and Transportation Commission

Reference: Penalty Assessment TE-170612, Attachment for Line 3(b)

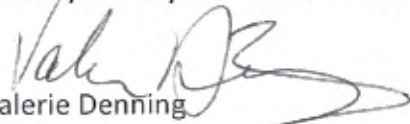
This letter is in support of my request for mitigation of the \$1,000.00 penalty assessed on our annual report. Please consider the following information:

We used your electronic system to file our annual report. We filed our report on time. We paid the fees on time. It appears that the problem occurred when the online report asked for the name of the person filing the report be entered (which we did) and then asked for a signature which we did not type in that same name again on that next line.

Your notice states that as of May 15<sup>th</sup> the report remained incomplete but we never had the opportunity to correct the signature line because we were never notified prior to June 20, 2017 that the report was incomplete. On June 21, 2017, when I received your notice, I contacted the Commission to determine why we were being charged a penalty. I was told that the name was not entered again on the signature line. I immediately signed our copy and faxed it to you. I was also told that the Commission had attempted to email me but the person responsible for that email had not been told that the Commission could not successfully send emails to Yahoo, which seems to have been known by some, but not all, of the Commission employees. I was therefore never notified and never had a chance to correct the report.

I am asking for mitigation of this penalty since I acted immediately upon receiving your June 20<sup>th</sup> notice, the report was filed and paid on time, and I don't understand why your computer program would even accept a report without this line completed.

Thank you for your consideration.

  
Valerie Denning