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**BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

9 In Re: The Matter of Enforcement Action
10 Against:

11 NATIONAL UTILITY CONTRACTORS
12 ASSOCIATION, Washington Chapter,

13 Respondent.

PDC CASE NO. 64857

ORDER ON REQUEST FOR
RECONSIDERATION

14 This matter was heard remotely by the Washington State Public Disclosure Commission
15 (Commission) on May 28, 2020, by telephonic and online streaming access. The National Utility
16 Contractors Association, Washington Chapter (Respondent, NUCA), requested reconsideration
17 of the Presiding Officer's Order issued on February 28, 2020, following a Brief Enforcement
18 Hearing (Brief Adjudicative Proceeding) in this matter. The hearing was held in accordance with
19 Chapters 34.05 and 42.17A RCW, and Chapter 390-37 WAC.

20 Commissioners present both telephonically and online were David Ammons,
21 Commission Chair (presiding); Russell Lehman, Commission Vice-Chair; and Commissioners
22 William Downing, Fred Jarrett, and Nancy Isserlis. Also present both telephonically and online
23 were Assistant Attorney General John S. Meader representing the Commission, Assistant
24 Attorney General Chad Standifer representing PDC Staff, and Fox Blackhorn, PDC Compliance
25 Coordinator 2, and Liz Truong on behalf of Respondent. The proceeding was open to the public
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1 as limited by Governor's Proclamation 20-28 *et seq.* and recorded.

2 The Commissioners had before them the following materials:

- 3 1. Case memorandum dated May 15, 2020, prepared by Fox Blackhorn, PDC
- 4 Compliance Coordinator 2;
- 5 2. Brief Enforcement Hearing Notice, served February 13, 2020;
- 6 3. Initial Order Imposing Fine, entered March 9, 2020;
- 7 4. L-3 report covering calendar year 2018, filed March 10, 2020;
- 8 5. Letter from the Respondent concerning contact information, dated March 18, 2020;
- 9 6. Request for Reconsideration, dated April 21, 2020;
- 10 7. Respondent's consent for remote Reconsideration Hearing, dated May 2, 2020;
- 11 8. Reconsideration Enforcement Hearing Notice, served May 14, 2020.

12 13 I. FINDINGS OF FACT

14 The matter involved Respondent's request that the Commission reconsider a Final Order
15 issued on March 9, 2020, resulting from an Initial Hearing on February 28, 2020, regarding
16 NUCA, a lobbyist employer of a registered lobbyist during the 2018 calendar year. The
17 Presiding Officer at the Brief Adjudicative Proceeding found NUCA in violation of RCW
18 42.17A.630 for failure to timely file a report of lobbying expenses (L-3 report) by February 28,
19 2019, as required, and imposed a civil penalty of \$250. The basis of Respondent's Request for
20 Reconsideration was that the PDC had seven-year-old contact information, the Respondent had
21 a lack of knowledge of non-compliance, and when informed Respondent complied immediately.

- 22
23 1. PDC contact information for the NUCA was over seven-years-old and
24 Respondent did not receive notice of the Initial Hearing. Respondent has updated its
25 contact information and immediately complied with the 2018 reporting requirements.
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1 **II. CONCLUSIONS OF LAW**

2 1. The Commission has jurisdiction over this proceeding pursuant to Chapter
3 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the
4 Administrative procedure Act; and Title 390 WAC.

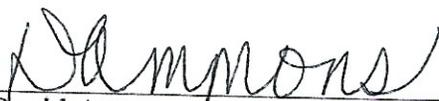
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6 **III. ORDER**

7 As a result of Respondent's outdated contact information and its immediate compliance
8 with reporting requirements when notified of the missing report, the Request for Reconsideration
9 is GRANTED. This Amended Order will be the Final Order. The Findings of Fact, Conclusions
10 of Law, and the civil penalty assessed at the February 28, 2020, hearing are VACATED.

11
12 SO ORDERED this 8th day of May, 2020.

13
14 WASHINGTON STATE PUBLIC
15 DISCLOSURE COMMISSION

16 FOR THE COMMISSION:

17 
18 David Ammons,
19 Chair, Public Disclosure Commission

20
21 *This order sent by email to:*
22 Natl. Utility Contractors Assoc., WA Chapter,
liz@aminc.org

23 Fox Blackhorn,
24 PDC Compliance Coordinator 2,
Fox.blackhorn@pdc.wa.gov

25 Chad Standifer, Assistant Attorney General,
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I, _____, certify that I emailed a copy of this order to the Respondent at his respective email address.

Signed _____ Date _____