



**State of Washington**  
**PUBLIC DISCLOSURE COMMISSION**

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**Memorandum**

To: Public Disclosure Commission

From: Tabatha Blacksmith, Compliance Coordinator

Date: October 28, 2021

Subject: Grant Wagner; PDC Case 94036; Reconsideration Hearing

**Matter for Reconsideration:**

During a Brief Enforcement Hearing held on July 15, 2021, Grant Wagner was found to have violated RCW 42.17A.700 for failure to timely file a Personal Financial Affairs Statement (F-1 report) with the Public Disclosure Commission (PDC) no later than April 15, 2021. At the July 15, 2021 Brief Enforcement Hearing, an Order imposing a \$250 penalty, with \$150 suspended, was entered, which Grant Wagner now requests the Commission reconsider.

**Background:**

- Grant Wagner (the “Respondent”) serves as Public Utility Commissioner for Lincoln PUD 01 – ELE. His term began on January 1, 2021.
- The Respondent has no prior violations with the PDC.
- Pursuant to RCW 42.17A.700, an elected or appointed official who took office in 2021 was required to file an F-1 report, disclosing financial information for calendar year 2020, no later than April 15, 2021.
- In March and April of 2021, PDC staff sent email reminders to all elected and appointed officials regarding their missing F-1 reports for calendar year 2020.
- On May 13, 2021, PDC staff emailed the Respondent a warning notice regarding the missing F-1 report for calendar year 2020. The notice was sent to the Respondent’s email address-of-record.

- On June 29, 2021, PDC staff emailed the Respondent a hearing notice for a Brief Adjudicative Proceeding (Brief Enforcement Hearing) to be held on July 15, 2021. The hearing notice was sent to the Respondent's email address-of-record, which was a personal email.
- At the Brief Enforcement Hearing held on July 15, 2021, the Respondent was found in violation of RCW 42.17A.700 for failure to file the F-1 report no later than April 15, 2021, and was assessed a \$250 penalty, consistent with WAC 390-37-143, the Brief Enforcement Hearing penalty schedule adopted by the Commission. The Presiding Officer suspended \$150 of the \$250 penalty conditioned upon the Respondent filing the missing F-1 report and paying the non-suspended \$100 penalty within 30 days of the Initial Order being served.
- On August 17, 2021, PDC staff served the August 12, 2021 Initial Order memorializing the Commission's ruling, by email, to the Respondent's email address-of-record, which was a personal email.
- As of October 20, 2021, the Respondent has not filed the F-1 report covering calendar year 2020 activity. The Respondent experienced technical difficulties filing the report and PDC staff have provided him with instructions regarding how to obtain assistance.

**Request for Reconsideration:**

- On September 30, 2021, the Respondent submitted written materials to PDC staff appealing the August 12, 2021 Order based upon the facts that he 1) was unaware of the filing requirement; and 2) did not receive the emails from PDC staff regarding the F-1 report and July 15, 2021 hearing.
- On October 18, 2021, PDC staff served the Respondent, by email, with a hearing notice for an October 28, 2021 Reconsideration Hearing before the Public Disclosure Commission, along with instructions on how to participate in the hearing remotely. The notice was sent to the Respondent's email address-of-record.