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

7 In Re: The Matter of Enforcement Action  
8 Against:

9 GRANT WAGNER,  
10 Respondent.  
11

PDC CASE NO. 94036  
FINAL ORDER ON  
RECONSIDERATION

12  
13 This matter was heard at the Regular Meeting of the Washington State Public Disclosure  
14 Commission (Commission) on October 28, 2021, by telephonic and online streaming access.  
15 Grant Wagner (Respondent) requested reconsideration of the Presiding Officer's Order, issued  
16 following a Brief Enforcement Hearing (Brief Adjudicative Proceeding) held July 15, 2021. The  
17 hearing was held in accordance with Chapters 34.05 and 42.17A RCW, and Chapter 390-37  
18 WAC.

19 Commissioners present were Fred Jarrett, Commission Chair (presiding); Nancy Isserlis,  
20 Commission Vice-Chair; and Commissioners William Downing and Allen Hayward. Also  
21 present both telephonically and online were Assistant Attorney General John S. Meader  
22 representing the Commission, Assistant Attorney General Chad Standifer, representing PDC  
23 Staff, and Tabatha Blacksmith, PDC Compliance Coordinator. The Respondent did not appear  
24 on his own behalf. The proceeding was open to the public as limited by Governor's Proclamation  
25 20-28 *et seq.* and recorded.

26 The Commissioners had before them the following materials:

- 1 1. Case memorandum dated October 28, 2021, prepared by Tabatha Blacksmith, PDC  
2 Compliance Coordinator;
- 3 2. Brief Enforcement Hearing Notice, served June 29, 2021;
- 4 3. Initial Order Imposing Fine, issued August 12, 2021;
- 5 4. Respondent's written request for reconsideration, received September 30, 2021;
- 6 5. Reconsideration Hearing Notice, served October 18, 2021.

### 8 I. FINDINGS OF FACT

9 This matter involves Grant Wagner (Respondent), a Public Utility Commissioner for  
10 Lincoln PUD 01 - ELE. His term began on January 1, 2021. During a Brief Enforcement Hearing  
11 held on July 15, 2021, Respondent was found to have violated RCW 42.17A.700 for failure to  
12 timely file a Personal Financial Affairs Statement (F-1 Report) no later than April 15, 2021. At  
13 the Brief Enforcement Hearing, an Order imposing a \$250 civil fine, with \$150 suspended, was  
14 entered. The Respondent has no prior violations of RCW 42.17A.700 with the PDC.

15 1. In March and April of 2021, PDC staff sent email reminders to all elected and  
16 appointed officials regarding the missing F-1 reports for calendar year 2020.

17 2. On May 13, 2021, PDC staff emailed the Respondent a warning notice regarding  
18 the missing F-1 report. The notice was sent to Respondent's email address-of-record.

19 3. On June 29, 2021, PDC staff emailed a hearing notice for a Brief Adjudicative  
20 Proceeding (Brief Enforcement Hearing), to be held on July 15, 2021, to Respondent's email  
21 address-of-record.

22 4. On August 17, 2021, PDC staff served the Initial Order memorializing the  
23 Commission's ruling, by email, to the Respondent's contact email address-of-record.

24 5. On September 30, 2021, PDC staff received written materials appealing the  
25 August 12, 2021 Order based upon the Respondent's claim he was unaware of the filing  
26 requirements and did not receive the emails sent to him from the PDC regarding the F-1 report

1 and July 15, 2021 hearing.

2 6. On October 18, 2021, PDC staff served Respondent, by email, with a hearing  
3 notice for an October 28, 2021 Reconsideration hearing before the Commission, along with  
4 instructions on how to participate in the hearing remotely.

5 7. Respondent filed the missing F-1 report on October 27, 2021.

## 6 7 **II. CONCLUSIONS OF LAW**

8 1. The Commission has jurisdiction over this proceeding pursuant to Chapter  
9 42.17A RCW, the State campaign finance and disclosure law; Chapter 34.05 RCW, the  
10 Administrative Procedure Act; and Title 390 WAC.

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12 2. Pursuant to RCW 42.17A.700, the Respondent was required to file an F-1 report  
13 disclosing financial information for the calendar year 2020 no later than April 15, 2021.

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15 3. The Respondent violated RCW 42.17A.700 by failing to timely file the F-1  
16 report for calendar year 2020 that was due no later than April 15, 2021.

## 17 18 **II. ORDER**

19 The Request for Reconsideration is GRANTED. This Order on Reconsideration will be  
20 the Final Order. The civil penalty of \$250, with \$150 suspended, imposed at the July 15, 2021  
21 hearing is AFFIRMED and reinstated with the following conditions:

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23 1. Respondent Grant Wagner is assessed a total civil penalty of \$250, with \$150  
24 suspended, on the following conditions:

1 a. The Respondent remains in full compliance with all PDC reporting  
2 requirements and is not found to have committed any further violations  
3 of Chapter 42.17A RCW or Title 390 WAC within four years of the date  
4 of this Final Order. The suspended penalty shall not be assessed based  
5 solely upon any remediable violation, minor violation, or error classified  
6 by the Commission as appropriate to address by a technical correction.

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8 2. If the Respondent fails to make timely payment of the suspended portion of the  
9 civil penalty (\$100) in full within 30 days, the total civil penalty shall  
10 immediately become due without further action by the Commission.

11 SO ORDERED this 16th day of November, 2021.

12 WASHINGTON STATE PUBLIC  
13 DISCLOSURE COMMISSION

14 FOR THE COMMISSION:

15 

16  
17 Fred Jarrett,  
Chair, Public Disclosure Commission

18 *This order sent by email to:*  
19 Grant Wagner, Respondent  
[grantrwagner@hotmail.com](mailto:grantrwagner@hotmail.com)

20 Tabatha Blacksmith,  
21 PDC Compliance Coordinator,  
[tabatha.blacksmith@pdc.wa.gov](mailto:tabatha.blacksmith@pdc.wa.gov)

I, Tabatha Blacksmith, certify that I emailed a copy of this  
order to the Respondent at his respective email address.

e-signed Tabatha Blacksmith  
Signed

November 16, 2021  
Date

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2 **NOTICE: PETITION FOR JUDICIAL REVIEW**

3 You have the right to appeal this Final Order to Superior Court, pursuant to the Petition for  
4 Judicial Review provisions of RCW 34.05.542. Any Petition for Judicial Review of this Final  
5 Order must be filed with the court and also served upon both the Commission and the Office of  
6 the Attorney general within thirty (30) days after the date this Final Order is served upon you.  
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