- HEATING OILS
- PROPANE
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- BURNERS
- FURNACES
- BOILERS
- PROPANE TANK SALES & LEASING
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- SERVICE CONTRACTS
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ACME FUEL

SERVING WESTERN WASHINGTON SINCE 1925

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416 State Avenue • P.O. Box 7009 • Olympia, Washington 98507 • (360) 943-1133

FILED
2015 SEP 18 A 11:42
HEARINGS UNIT
OFFICE OF
INSURANCE COMMISSIONER

September 17, 2015

Office of Insurance Commissioner
Attn: Hearings Unit
PO Box 40255
Olympia, WA 98504-0255

Re: No. 14-0220 Demand for Hearing

To Whom It May Concern:

I received your letter dated September 16, 2015, which states we must pay a $750 fine or have our insurance certificate revoked. I am requesting this fine be dropped for the following reasons:

1. We were never sent a reminder via mail, fax, or email. With several annual reports to file to satisfy different State and Federal requirements, it is nearly impossible to remember every one every year. In fact, OIC is the ONLY agency that does not send out a reminder.
2. As soon as we were notified that we had not filed our annual report, we immediately submitted it.
3. At the time of submission, it was never indicated that we would be levied a $750 fine for being 2 weeks late.

We are a very small business, with an average of 17 employees during our peak time in the winter. We have always been in compliance with all Federal, State, and local laws and requirements. This seems extremely excessive for this minor offense. If we either ignored or refused to pay in a timely matter, then I would understand the fine. It was a simple oversight and we submitted the report right away. It is important for the state to try and work with business and not against business.

I respectfully request to be relieved of this fine.

Sincerely,

Christophe Allen
Vice President
Acme Fuel Co.
416 State Ave NE
Olympia, WA 98501
callen@acmefuel.com
360-943-1133

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON

OFFICE OF
INSURANCE COMMISSIONER

Phone: (360) 725-7000
www.insurance.wa.gov

September 16, 2015

Christophe Allen
Vice President
Acme Fuel Company
416 State Ave Ne
Olympia, Washington 98501

RE: Proposed Consent Order No. 14-0220

Dear Mr. Allen:

Enclosed are two originals of a *Consent Order Levying A Fine*. This Order will result in your company being required to pay a fine in lieu of other action relative to its certificate of registration.

Upon our receipt back from the company of both of the duplicate original signed Consent Orders, we will sign the documents, enter the Order, and return a fully-executed duplicate original to you. The company will then have 30 days in which to pay the fine. The company may choose to pay the fine at the same time that it returns the Orders.

If we have not received the signed documents by October 22, 2015, this offer is withdrawn and we will proceed with formal action relative to the company's certificate of registration. Please direct all communications regarding this proposed order to the undersigned.

Sincerely,

Chase H. Davis, CPA, CFE
Senior Financial Analyst
Company Supervision Division
360-725-7204

Enclosures (2)

STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

In the Matter of **ACME FUEL COMPANY** Home Heating Fuel Service Contract Provider.	Order No. 15-0220 WAOIC No. 259919 CONSENT ORDER LEVYING A FINE

This Consent Order Levying a Fine ("Order") is entered into by the Insurance Commissioner of the state of Washington ("Insurance Commissioner"), acting pursuant to the authority set forth in RCW 48.02.060 and RCW 48.111.100, and Acme Fuel Company ("Acme Fuel").

BASIS:

1. Acme Fuel is a home heating fuel service contract provider, first registered in Washington on June 20, 2006.

2. RCW 48.111.030 requires that every registered home heating fuel service contract provider shall file an annual report for the preceding calendar year with the Insurance Commissioner on or before March 1st of each year.

3. Acme Fuel filed its December 31, 2014 annual report on March 18, 2015, over two weeks late.

4. RCW 48.111.100 authorizes the Insurance Commissioner to impose a fine in lieu of the suspension or revocation of a certificate of registration.

CONSENT TO ORDER:

The Insurance Commissioner of the state of Washington and Acme Fuel agree that the best interest of the public will be served by entering into this Order. NOW, THEREFORE, Acme Fuel consents to the following in consideration of its desire to resolve this matter without further administrative or judicial proceedings. The Insurance Commissioner consents to settle this matter in consideration of Acme Fuel's payment of a fine, and upon such terms and conditions as are set forth below:

1. Acme Fuel acknowledges its duty to comply fully with the applicable laws of the state of Washington.

2. Acme Fuel consents to the entry of this Order, waives any and all hearing or other procedural rights, and further administrative or judicial challenges to this Order.

3. By agreement of the parties, the Insurance Commissioner will impose a fine of $750 (Seven Hundred Fifty Dollars) to be paid within thirty (30) days of the entry of this Order.

4. Acme Fuel understands and agrees that any further failure to comply with the statutes and/or regulations that are the subject of this Order constitutes grounds for further penalties, which may be imposed in direct response to further violations.

5. Acme Fuel's failure to pay the fine within thirty (30) days of the entry of this Order shall constitute grounds for revocation of Acme Fuel's certificate of registration, and shall result in the recovery of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the state of Washington.

6. This Order and the violations set forth herein constitute admissible evidence that may be considered in any future action by the Insurance Commissioner involving Acme Fuel. However, the facts of this Order, and any provision, finding or conclusion contained herein does not, and is not intended to, determine any factual or legal issue or have any preclusive or collateral estoppel effects in any lawsuit by any party other than the Insurance Commissioner.

EXECUTED this _____ day of _____, 2015.

ACME FUEL COMPANY

By: _____

Printed Name: _____

Printed Corporate Title: _____

AGREED ORDER:

Pursuant to the foregoing factual Basis and Consent to Order, the Insurance Commissioner of the state of Washington hereby Orders as follows:

1. Acme Fuel shall pay a fine in the amount of $750 (Seven Hundred Fifty Dollars).

2. Acme Fuel's failure to pay the fine within thirty (30) days of the entry of this Order shall result in the revocation of Acme Fuel's certificate of registration and in the recovery of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

3. This Order and the violations set forth herein constitute admissible evidence that may be considered in any future action by the Insurance Commissioner involving Acme Fuel. However, the facts of this Order, and any provision, finding or conclusion contained herein does not, and is not intended to, determine any factual or legal issue or have any preclusive or collateral estoppel effects in any lawsuit by any party other than the Insurance Commissioner.

ENTERED this _____ day of _____, 2015.

MIKE KREIDLER
Insurance Commissioner

By and through his designee:

_____
JAMES T. ODIORNE, CPA, JD
Chief Deputy Insurance Commissioner