

BEFORE THE STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

**FILED**

2015 OCT -7 P 2:09

In the Matter of )  
 )  
**ACME FUEL COMPANY** )  
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\_\_\_\_\_ )

**Docket No. 15-0220**

**NOTICE OF HEARING**

HEARINGS UNIT  
OFFICE OF  
INSURANCE COMMISSIONER

**TO:** Christophe Allen, Vice President  
Acme Fuel Company  
416 State Avenue NE  
Olympia, WA 98501

**COPY TO:** Mike Kreidler, Insurance Commissioner  
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner  
Steven E. Drutz, Chief Financial Analyst, Company Supervision Division  
Mandy Weeks, Insurance Enforcement Specialist, Legal Affairs Division  
AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division  
Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255

This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

On September 16, 2015, Chase H. Davis, Senior Financial Analyst for the Office of the Insurance Commissioner ("OIC"), sent Christophe Allen, Vice President of the Acme Fuel Company ("Acme"), a Proposed Consent Order Levying a Fine, No. 15-0220, proposing the imposition of a fine against Acme, in lieu of other administrative action, for failure to timely submit its Annual Report for 2014, as required for registered home heating fuel service contract providers per RCW 48.111.030(1).

In a letter filed September 18, 2015, Mr. Allen filed a Demand for Hearing on the proposed imposition of a fine ("Demand") on behalf of Acme, arguing that as soon as Acme became aware that it had not timely filed its 2014 Annual Report due to an oversight, it did so. Acme argues that OIC is the only agency that does not send a reminder about such reports, and that OIC never indicated to Acme that it would be levied a fine for filing the Report late.

On October 2, 2015, the undersigned held a first prehearing conference. The OIC was represented by Mandy Weeks, Attorney at Law, Insurance Enforcement Specialist in the OIC's Legal Affairs Division. Acme was represented by Mr. Allen. After considering the views of the parties as to hearing dates and procedures:

**YOU ARE HEREBY NOTIFIED that a hearing will be held beginning 10:00 AM, November 17, 2015, Pacific Standard Time.** The hearing is expected to conclude within one-half day, but will continue until terminated. The purpose of the hearing is to consider whether Acme has violated the insurance code and, if so, whether imposition of a civil fine or another form of disciplinary action is warranted.

The hearing will be governed by the Administrative Procedure Act, Chapter 34.05 RCW, and the model rules of procedure contained in Chapter 10-08 WAC. All parties may be represented and may examine witnesses, respond, and present evidence and argument on all relevant issues.

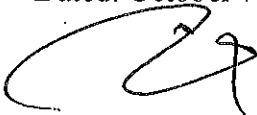
A party who fails to attend or participate in the hearing or another stage of this proceeding may be held in default in accordance with Chapter 34.05 RCW. *See*, RCW 34.05.434(2)(i).

William Pardee, Presiding Officer, has been designated by the Insurance Commissioner to hear and determine this matter. The hearing will be held under the authority granted by the Insurance Commissioner under Chapter 48.04 RCW.

Pursuant to WAC 10-08-040(2) and in accordance with Ch. 2.42 RCW, if a limited English speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by Ch. 2.42 RCW. A Request for Interpreter form, with instructions, is attached to the original of this Notice.

All case related documents and correspondence shall be directed to the Hearings Unit, Office of Insurance Commissioner, P.O. Box 40255, Olympia, Washington 98504-0255. All interested individuals and entities who have questions or concerns concerning this proceeding should direct them to the Hearings Unit paralegal, Kelly Cairns, at the same address. Ms. Cairns' telephone number is (360) 725-7002.

Dated: October 7, 2015



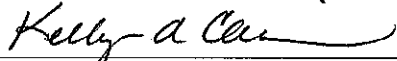
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WILLIAM PARDEE  
Presiding Officer

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: Christophe Allen, Mike Kreidler, James T. Odiorne, J.D., CPA, Steven E. Drutz, Mandy Weeks, and AnnaLisa Gellermann.

DATED this 7<sup>th</sup> day of October, 2015.

  
\_\_\_\_\_  
KELLY A. CAIRNS

**OFFICE OF INSURANCE COMMISSIONER**  
**HEARINGS UNIT**  
Fax: (360) 664-2782

To request an interpreter, complete and mail this form to:

Presiding Officer  
Hearings Unit  
Office of Insurance Commissioner  
P.O. Box 40255  
Olympia, WA 98504-0255

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**REQUEST FOR INTERPRETER**

I am a party or witness in Matter No. 15-0220 before the Insurance Commissioner. I NEED AN INTERPRETER and request that one be furnished.

Please check the statements that apply to you:

I am a non-English-speaking person. I cannot readily speak or understand the English language. My primary language is \_\_\_\_\_ (insert your primary language). I need an interpreter who can translate to and from the primary language and English.

I am unable to readily understand or communicate the spoken English language because:

- I am deaf.
- I have an impairment of hearing.
- I have an impairment of speech.

[Please state below or on the reverse side any details which would assist the Commissioner or Presiding Officer in arranging for a suitable interpreter or in providing appropriate mechanical or electronic amplification, viewing, or communication equipment.]

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Please print or type your name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_