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WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In Re:)	
JORDAN RIVER MOVING & STORAGE INC.;)	PENALTY ASSESSMENT
)	TV-051472
HG-11684)	REQUEST FOR HEARING
_____))	

COMES NOW Jordan River Moving & Storage Inc., by and through the undersigned attorney, and requests a hearing to contest the occurrence of the violations, or in the alternative to request a mitigation of the penalties, contained in Penalty Assessment No. 050537 (hereinafter the "Penalty") for the following reasons, referenced by paragraph number as also used in the Penalty:

1. Jordan River contests the occurrence of the alleged violation.

2-3. Jordan River does not deny that facts partially supporting the existence of a technical violation may have occurred, but that the customers suffered no harm or were made whole, that the violation, to the extent it occurred was technical and substantive, and that no liability or penalty should attach.

4-5. Jordan River contests the occurrence of the alleged violation.

6-12. Jordan River does not deny that facts partially supporting the existence of a technical violation may have occurred, but that the customers suffered no harm or were made

REQUEST FOR HEARING-1

LAW OFFICE
MARK DOUGLAS KIMBALL, P.S.
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(425)-455-9610
FAX: (425) 455-1170

1 whole, that the violation, to the extent it occurred was technical and substantive, and that no
2 liability or penalty should attach.

3 13. Jordan River does not deny that facts partially supporting the existence of this
4 violation may have occurred, but to the extent that the practice had occurred, it was terminated
5 immediately after the first audit. Any charges billed or assessed as referred to in Penalty
6 Assessment No. 13 have been or will be refunded prior to the hearing in this matter.
7 Accordingly, as no customer will have suffered any pecuniary harm, the violation, at that time,
8 will be both moot and technical. The penalty should be mitigated or abated.

9 14-18. Jordan River does not deny that facts partially supporting the existence of a
10 technical violation may have occurred, but that the customers suffered no harm or were made
11 whole, that the violation, to the extent it occurred was technical and substantive, and that no
12 liability or penalty should attach.

13 19-22. Jordan River contests the occurrence of the alleged violation.

14 23-26. Jordan River requests a hearing to present evidence in support of this request for
15 hearing at a time and place to be designated by the Commission.

16 Respectfully Submitted this 1st day of November, 2005

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21 /s/ Mark D. Kimball
22 MARK D. KIMBALL WSBA # 13146
23 Mark Douglas Kimball P.S.
24 Attorney for Jordan River Moving
25 & Storage Inc,
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Penalty Assessment No. TV-051472 Request for Hearing was served upon the entity listed below by electronically transmitting said document in PDF format to the UTC Records Center at records@wutc.wa.gov, and, in addition, have deposited the original and three copies of the foregoing document with ABC Messenger Service for delivery to:

Washington Utilities and Transportation Commission
Executive Secretary
1300 S. Evergreen Park Drive S.W.
Olympia, Washington 98504-7250

Dated this 1st day of November, 2005 at Bellevue, Washington.

/s/Mark D. Kimball
MARK D. KIMBALL