

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

WESTERN VAN LINES, INC., d/b/a)	DOCKET TV-061577
WESTERN VAN & STORAGE,)	
)	
Complainant,)	
)	
v.)	NOTICE OF HEARING
)	(Set for December 7, 2006, 9:30 a.m.)
WESTERN MOVING & STORAGE,)	
INC.,)	
)	
Respondent.)	
.....)	

1 Western Van Lines, Inc., d/b/a Western Van & Storage (Complainant) on October 11, 2006, filed with the Washington Utilities and Transportation Commission (Commission) a complaint against Western Moving & Storage, Inc. (Respondent). The respondent did not file an answer to the complaint pursuant to WAC 480-07-370(1)(c)(ii). The complaint alleges that the respondent’s permit was issued in violation of WAC 480-15-390, which prohibits a household goods carrier from operating under a name that is similar to that of another carrier. A more detailed account of the dispute is reflected in the complaint, which is available for inspection at the Commission’s office located at Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, and on the Commission’s web site at www.wutc.wa.gov/061577. It is appropriate that the matters raised in the pleadings be brought for hearing before the Commission.

2 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under Title 81 RCW, and has legal authority to regulate the rates, services, and practices of household goods carriers. Statutes and rules cited in the complaint include 480-15-390(2)(b)(i) and (ii). The statutes that apply to this matter include chapters 80.01 RCW, 80.04 RCW, 81.80 RCW, 480-07 WAC, and 480-15 WAC, including but not limited to RCW 80.01.040 and RCW 80.04.020.

3 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of chapter 34.05 RCW relating to adjudications. The provisions of the APA that relate to this proceeding include but are not limited to RCW

34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in chapter 480-07 WAC in this proceeding.

4 The Commission finds there is good cause to hear this matter shortened notice. *See, WAC 480-07-440(1)(a).*

5 **THE COMMISSION GIVES NOTICE That it will hold a hearing in this matter at 9:30 a.m., on December 7, 2006, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

6 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See WAC 480-07-355(a).* The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See, WAC 480-07-345(2).* If any party or witness needs an interpreter or other assistance, they should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

7 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the hearing set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440. The Commission specifically invokes the sanction provisions of WAC 480-07-450 which allow the Commission to seek penalties for a party in default.**

8 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant:	Western Van Lines, Inc. d/b/a Western Van & Storage 8521 S. 190 th Street Kent, WA 98031-1224 (425) 251-3400
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Representative: Andrew D. Shafer
Davis Grimm Payne & Marra
701 5th Avenue, Suite 4040
Seattle, WA 98104
(206) 447-0182
ashafer@davisgrimmpayne.com

Respondent: Western Moving & Storage, Inc.
17004 NE 116th Street
Redmond, WA 98052

9 Administrative Law Judge Theodora M. Mace, from the Commission's
Administrative Law Division, will preside during this proceeding.

10 The Commission will give parties notice of any other procedural phase of the
proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective November 21, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

Inquiries may be addressed to:

Secretary
Washington Utilities and
Transportation Commission
Chandler Plaza Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary
Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____