

WUTC Docket TV-111493

Washington Movers Conference

Comments to household goods moving companies "Entry and Fitness Standards" (WAC 480-15-180 through WAC 480-15-450)

September 21, 2011

The following WMC comments pertaining to WAC rules 480-15-180 through 480-15-450 are submitted for discussion. WMC comments are shown in red.

### WAC 480-15-180

#### Carrier operations that require a household goods permit.

A carrier must receive a **HHG operating** permit from the commission before transporting household goods, for compensation, by motor vehicle (including a rental truck) over public roads between two points within the state, or before advertising, soliciting, offering, or entering into an agreement to transport household goods.

### WAC 480-15-181

#### Operations that do not require a household goods permit.

A company's operations do not require an **intrastate HHG operating** permit from the commission when the company:

- (1) Moves commercial or office goods, except when part of a household goods moves.
- (2) (Transports **Household** goods that are packed and loaded on the vehicle and unloaded by the customer.) **This statement needs to come out as it falls within the definition of HHG because of transporting.**
- (3) Transports goods which are loaded in customer packed and sealed self-storage type containers in conjunction with storage when no accessorial services are provided by the company.
- (4) Uses a truck the customer owns or rents, even if the **HHG** Company does the packing and loading.
- (5) Packs and loads the goods but does not transport the belongings.
- (6) **The HHG carrier only transports household goods in interstate traffic.**

**Note:** There needs to be discussion on how to treat house cleaning companies like Service Master, etc. who come in and load out and transport the HHG to their storage facilities and then return the HHG to the residence following the clean up.

### WAC 480-15-185

#### Types of household goods permits.

The commission may issue any of the following types of **HHG operating** permits:

- (1) Emergency temporary **HHG operating** authority for a period of thirty days or less when there is an urgent need for service and time or circumstances do not reasonably allow filing and processing an application for temporary authority.
- (2) Temporary **HHG operating** authority for up to one hundred eighty days to meet a short-term public need **and the commission receives a valid need request for service from three**

individual users of the proposed transportation service. or until the commission makes a decision on the pending application for permanent authority. The applicant must be fit, willing and able and the proposed service must be in the public interest. Such temporary HHG operating authority will be authorized only after investigation that the request represents a true need.

(3) Permanent HHG operating authority has no expiration date or renewal requirement when the applicant is fit, willing and able to provide service and meets the current or future public convenience and necessity standards.

### WAC 480-15-190 Service territory.

Household goods operating permits authorize statewide operations unless:

- (1) You elect to limit your service territory to specific counties; or
- (2) The commission, by order, limits your service territory.

### WAC 480-15-230 Application fees.

Application fees are:

Type of Permit Application:	Fee:
Emergency temporary authority	\$250.00
Temporary authority	\$300.00
Permanent authority	\$600.00
Transfer or acquisition of authority under WAC <a href="#">480-15-335</a>	\$250.00
Permit reinstatement (under provisions of WAC <a href="#">480-15-450</a> )	\$250.00
Name change only	\$35.00

### WAC 480-15-270 This paragraph needs to be deleted. Outdated! Emergency temporary HHG operating authority.

The commission may grant an application for emergency temporary HHG Operating authority to operate up to thirty days to meet an urgent public need when time or circumstances do not reasonably allow filing and processing a temporary permit application. The applicant must do all of the following:

- (1) Provide a certified statement of support identifying the need.
- (2) Complete the application.
- (3) Pay the application fee.
- (4) Furnish a list of vehicles the applicant will use under emergency temporary HHG operating

authority.

- (5) Furnish proof of public liability and property damage insurance coverage.

## WAC 480-15-280

### Temporary HHG operating authority.

(1) An applicant must apply for temporary HHG operating authority to provide service to meet a short-term need. If the commission grants the application, the temporary authority will allow the applicant to provide service as a household goods carrier on a provisional basis for at least six months. During this time, the commission will evaluate whether the applicant has met the criteria in WAC [480-15-330](#) to obtain permanent HHG operating authority.

(2) The commission will grant or deny an application for temporary HHG operating authority after the commission receives a valid need request for service from three individual users of the proposed transportation service, conducts a complete review of the application, supporting statements, reports or other information necessary to determine fitness and determining whether granting the application is in the public interest.

(3) When determining if an applicant is fit, willing and able to provide the proposed service the commission will consider any information provided by the applicant and other members of the public including, but not limited to, information regarding the applicant's:

- (a) Experience in the household goods moving industry.
- (b) Knowledge of safety regulations.
- (c) Financial resources.
- (d) Equipment resources.
- (e) Compliance with tax, labor, employment, business and vehicle licensing laws and rules.
- (f) Compliance with Title [81](#) RCW and commission rules.
- (g) Conviction of any felony or misdemeanor crime within the past five years.
- (h) Previous denial of authority on the basis of fitness.
- (i) Previous cancellation of HHG operating authority.

(4) When determining if the proposed service is in the public interest, the commission will consider any information provided by the applicant, customers and other members of the public concerning the proposed service. The commission will also consider whether granting the temporary HHG operating authority will:

- (a) Enhance choices available to consumers.
- (b) Promote a viable yet competitive household goods moving industry.
- (c) Fill an unmet need for service.
- (d) Allow the commission to regulate the household goods moving industry more efficiently.
- (e) Provide increased consumer protection through regulation.

(5) Applicants, customers and other members of the public must submit statements and reports that:

- (a) Include their full name, address, phone number.
- (b) State that the information submitted is true and accurate.
- (c) Are signed and show the place and date they were signed.

(6) A grant of temporary HHG operating authority under this section does not establish any right to a grant of permanent HHG operating authority under this chapter.

#### WAC 480-15-285

##### Rejecting or denying an application for temporary HHG operating authority.

The commission may reject or deny an application for temporary HHG operating authority if:

- (1) The application is incomplete.
- (2) The application indicates evidence of fraud, misrepresentation, or erroneous information.
- (3) The applicant filed within six months of a denial of a previous application or within one year of cancellation of a permit under WAC [480-15-320](#) or [480-15-450](#) (1)(c) through (g).
- (4) The applicant does not have:
  - (a) Sufficient experience in the industry.
  - (b) Sufficient knowledge of safety regulations.
  - (c) Sufficient financial resources or equipment.
  - (d) Documentation showing compliance with Washington State's tax, labor, employment, business and vehicle licensing laws and rules.
- (5) The applicant has:
  - (a) Previously been denied authority by the commission on the basis of fitness.
  - (b) Been convicted of any felony or misdemeanor crime within the past five years.
  - (c) Previously had HHG operating permit authority canceled by the commission.
  - (d) Been subject to other enforcement actions for violations of state law or commission rules.
- (6) Other circumstances exist that cause the commission to believe issuing the HHG operating permit is not in the public interest.

#### WAC 480-15-290

##### Granting temporary HHG operating authority.

(1) After reviewing the application for temporary HHG operating authority, information concerning the application and submitted supporting statements and reports, the commission will issue an order granting or denying the application for temporary HHG operating authority. The order granting temporary HHG operating authority will include specific terms and conditions the

applicant must satisfy before beginning **operations** under **temporary HHG operating** authority such as specific training, safety audits or reporting.

(a) Each approved applicant must have in place a program for conducting Criminal Background Checks. Criminal Background Check means a public record check of court actions regarding the carrier's employee. The Criminal Background Check will apply to each owner and/or employee whose duties may require contact with a potential or confirmed HHG moving customer or entry into the private residence or private storage facility of a potential or confirmed moving customer for the purpose of providing or facilitating the transportation of household goods.

(i) The Criminal Background Check program will include the requirement that each employee, as a condition of employment, sign a release authorizing the employer to obtain the Criminal Background Check data required by this rule.

(ii) Criminal background Checks on employees that reveal during the past five years any felony or a misdemeanor involving theft; burglary; sexual misconduct; manufacture, sale or distribution of a controlled substance; identity theft; or making false statements will preclude that employee(s) from duties that require contact with a potential or confirmed HHG moving customer or entry into the private residence or private storage facility of a potential or confirmed moving customer for the purpose of providing or facilitating the transportation of household goods.

(b) Each applicant must have in place a Drug and Alcohol Testing program that meets the federal requirements of 49 C.F.R. part 382. This may be an in-house drug and alcohol testing program or as a member of a consortium providing that the consortiums testing procedures meet the federal requirements. If the applicant belongs to a consortium, the applicant must provide the commission with the names of persons who operate the consortium.

(c) Each applicant for temporary HHG operating authority that intends to use temporary workers obtained from an employment agency must certify that it will maintain records for three years that describe the date(s) worked, names of temporary workers, and name and address of the employment agency where the temporary workers were obtained.

## WAC 480-15-310

### Commenting on actions regarding temporary **HHG operating** authority.

(1) The commission publishes an application docket listing temporary **HHG operating** authority it has granted or denied. The commission mails the docket to each applicant and, upon written request, to any other person interested in application proceedings.

(2) Anyone wishing to comment on an action on the commission's application docket that grants or denies temporary **HHG operating** authority may file written comments within ten days following publication. Comments must include the commenter's full name, address, telephone number, e-mail address, fax number and permit number, if applicable. Comments must indicate support for, or protest of, the temporary **HHG operating** authority for any one or more of the following reasons:

(a) Fitness, **including financial fitness.**

(b) Public interest.

(c) Levels of service.

(d) Business practices, **including failure to be in compliance with Washington State's tax, labor, employment, business and vehicle licensing laws and rules.**

(e) Safety.

(f) **Condition and** Operation of equipment.

(3) The commission may at its discretion, hold a brief adjudicative proceeding on an action for temporary **HHG operating** authority because it received comments that protest the action. See chapter [480-07](#) WAC for rules governing brief adjudicative proceedings.

### WAC 480-15-320

#### Canceling a temporary **HHG operating** permit.

The commission may cancel a temporary **HHG operating** permit at any time if it determines any of the following conditions exist:

(1) The **HHG operating** permit was not issued in the public interest.

(2) The approval of the temporary **HHG operating** authority was based on fraud, misrepresentation, or erroneous information **provided by** the applicant.

(3) The applicant **was** filed within six months of a denial of a previous application or within one year of cancellation of a **HHG operating** permit under WAC [480-15-320](#) or [480-15-450](#) (1)(c) through (g).

(4) The carrier does not have:

(a) Sufficient experience in the industry.

(b) Sufficient knowledge of safety regulations.

(c) Sufficient financial resources or equipment.

(d) **Documentation showing** compliance with tax, labor, employment, business and vehicle licensing laws and rules.

(5) The carrier has:

(a) Been convicted of any **felony or misdemeanor** crime **within five years preceding the application date**.

(b) Previously been denied **HHG operating** authority by the commission on the basis of fitness.

(c) Failed or refused to comply with applicable laws and rules pertaining to operations of household goods carriers **including WAC 480-15 and HHG Tariff No. 15-C**.

(d) Failed to file an annual report or pay required regulatory fees.

(e) Allowed others to transport goods under the carrier's **HHG operating** permit authority.

(6) Other circumstances existing that cause the commission to believe canceling the permit is in the public interest.

### WAC 480-15-330

#### Permanent **HHG operating** authority.

(1) An applicant must apply for permanent **HHG operating** authority if he or she is requesting any of the following:

- (a) New original authority.
- (b) Transfer of existing **HHG operating** authority, except as described in WAC [480-15-335](#).
- (c) Acquisition of control of existing **HHG operating** authority.
- (d) Additional **HHG operating** authority for an existing household goods permit.

(2) The commission will grant or deny an application for permanent **HHG operating** authority after it conducts a complete review of the application, supporting statements, reports or other information necessary to determine fitness, public interest and current or future public convenience and necessity.

(3) Some transfers of existing permanent **HHG operating** authority are not subject to the requirements in this rule. WAC [480-15-335](#) lists the exceptions.

(4) When determining if an applicant is fit, willing and able to provide the proposed service, the commission will consider statements and reports including any information provided by the applicant and other members of the public. The commission may reject or deny an application for permanent **HHG operating** authority if:

- (a) The application is incomplete.
- (b) The application indicates evidence of fraud, misrepresentation or erroneous information.
- (c) The applicant filed within six months of a denial of a previous application or within one year of cancellation of a permit under WAC [480-15-320](#) or [480-15-450](#) (1)(c) through (f).
- (d) The applicant does not have:
  - (i) Sufficient experience in the industry.
  - (ii) Sufficient knowledge of safety regulations.
  - (iii) Sufficient financial resources or equipment.
  - (iv) **Documentation showing** compliance with tax, labor, employment, business and vehicle licensing laws and rules.
- (e) The applicant has:
  - (i) Previously been denied **HHG operating** authority by the commission.
  - (ii) Been convicted of any **felony or misdemeanor** crime **within five years preceding the application date**.
  - (iii) Previously had permit **HHG operating** authority by the commission.
  - (iv) Paid or incurred penalties or received citations for violation of state law or commission rules.
  - (v) Been subject to other enforcement actions for violation of state law or commission rules.

(f) The results of any compliance reviews, audits, inspection reports and customer complaints filed against the applicant cause the commission to believe issuing the HHG operating permit is not in the public interest.

(g) Other circumstances exist that cause the commission to believe issuing the HHG operating permit is not in the public interest.

(5) When determining if the proposed service is in the public interest the commission will consider statements and reports, including any information provided by the applicant and other members of the public concerning the proposed service, and whether granting the permanent HHG operating authority will:

(a) Provide safe consumer protected choices available to consumers.

(b) Promote a viable yet competitive household goods moving industry.

(c) Fill an unmet need for service.

(d) Allow the commission to more effectively and efficiently regulate the household goods moving industry.

(e) Provide increased consumer protection through regulation.

(6) When determining if the proposed service is needed to satisfy the current or future public convenience and necessity, the commission will consider any information provided by the applicant, customers and other members of the public concerning the proposed service and any reports relating to the operations conducted under temporary HHG operating authority including, but not limited to, the following:

(a) The number of customers served.

(b) The nature of the household goods moving service provided.

(c) Number of complaint free customer satisfaction reports.

(d) Statements regarding a future need, if any, for the applicant's services.

## WAC 480-15-XXX

### Granting Permanent authority.

(1) Before granting the application for permanent HHG operating authority, commission staff will review information concerning the application and submitted supporting statements and reports, and conduct an audit of the applicant's customer files. The commission will issue an order granting or denying the application for permanent HHG operating authority. The order granting permanent HHG operating authority will include specific terms and conditions the applicant must satisfy before beginning operations under permanent HHG operating authority such as specific training, safety audits or reporting.

(a) Each approved applicant must have in place a program for conducting Criminal Background Checks. Criminal Background Check means a public record check of court actions regarding the carrier's employee. The Criminal Background Check will apply to each owner and/or employee whose duties may require contact with a potential or confirmed HHG moving customer or entry into the private residence or private storage facility of a potential or confirmed moving customer for the purpose of providing or facilitating the transportation of household goods.



(i) The Criminal Background Check program will include the requirement that each employee, as a condition of employment, sign a release authorizing the employer to obtain the Criminal Background Check data required by this rule.

(ii) Criminal background Checks on employees that reveal during the past five years any felony or a misdemeanor involving theft; burglary; sexual misconduct; manufacture, sale or distribution of a controlled substance; identity theft; or making false statements will preclude that employee(s) from duties that require contact with a potential or confirmed HHG moving customer or entry into the private residence or private storage facility of a potential or confirmed moving customer for the purpose of providing or facilitating the transportation of household goods.

(b) Each approved applicant must have in place a Drug and Alcohol Testing program that meets the federal requirements of 49 C.F.R. part 382. This may be an in-house drug and alcohol testing program or as a member of a consortium providing that the consortiums testing procedures meet the federal requirements. If the applicant belongs to a consortium, the applicant must provide the commission with the names of persons who operate the consortium.

(c) Each approved applicant for permanent HHG operating authority that intends to use temporary workers obtained from an employment agency must certify that it will maintain records for three years that describe the date(s) worked, names of temporary workers, and name and address of the employment agency where the temporary workers were obtained.

#### WAC 480-15-335

#### Exceptions to permanent **HHG operating** authority application process.

(1) The commission will grant an application to transfer or acquire control of existing permanent **HHG operating** authority without requiring temporary operations, public notice or comment if the applicant is fit, willing and able to provide service and the applicant has filed to transfer or acquire control of permanent authority for any one of the following reasons:

(a) A partnership has dissolved due to the death, bankruptcy or withdrawal of a partner and that partner's interest is being transferred to a spouse or to one or more remaining partners.

(b) A shareholder in a corporation has died and that shareholder's interest is being transferred to a surviving spouse or one or more surviving shareholders.

(c) A sole proprietor has died and the interest is being transferred as property of the estate.

(d) An individual has incorporated and the same individual remains the majority shareholder.

(e) An individual has added a partner but the same individual remains the majority partner.

(f) A corporation has dissolved and the interest is being transferred to the majority shareholder.

(g) A partnership has dissolved and the interest is being transferred to the majority partner.

(h) A partnership has incorporated, and the partners are the majority shareholders.

(i) Ownership is being transferred from one corporation to another corporation when both are wholly owned by the same shareholders.

(2) The commission will grant an application for permanent **HHG operating** authority without requiring temporary operations after the application has been published on the application docket subject to comment for thirty days if the applicant is fit, willing and able to provide service, the

applicant has filed to transfer or acquire control of permanent authority and all of the following conditions exist:

(a) Ownership or control of a permit is being transferred to any shareholder, partner, family member, employee or other person familiar with the company's operations and the household goods moving services provided.

(b) The **HHG operating** permit has been actively used by the current owner to provide household goods moving services during the twelve-month period prior to the application.

(c) The application includes a certified statement from the applicant and the current owner explaining why the transfer of ownership or control is necessary to ensure the company's economic viability.

(d) The application includes a certified statement from the applicant and the current owner describing the steps taken by the parties to ensure that safe operations and continuity of service to customers is maintained.

### **WAC 480-15-340**

#### **Commenting on an application for permanent **HHG operating** authority.**

(1) The commission publishes applications for permanent **HHG operating** authority in the application docket that it mails to each applicant and, upon written request, to any other person interested in application proceedings.

(2) Anyone having an interest in an application appearing on the docket may file written comments within thirty days following publication, unless the application is published in conjunction with a grant of temporary **HHG operating** authority. If the permanent **HHG operating** authority application is published in conjunction with a grant of temporary **HHG operating** authority, then comments will be accepted for one hundred eighty days or the full term of the temporary permit.

(3) Comments may either support or protest the application. Comments must include the commenter's full name, address, telephone number, e-mail address, fax number and permit number, if available. Comments must be signed and indicate the place and date when they were signed. Comments must indicate support for, or protest of, the permanent **HHG operating** authority for any one or more of the following reasons:

- (a) Fitness.
- (b) Public interest.
- (c) Levels of service.
- (d) Business practices.
- (e) Safety.
- (f) Operation of equipment.
- (g) Current or future public need for service.

(4) A comment protesting an application will not, on its own, cause the commission to set the matter for a hearing.

### **WAC 480-15-350**

### Setting an application for hearing.

The commission may hold a hearing or brief adjudicative proceeding on any application for permanent **HHG operating** authority if it is necessary to resolve outstanding issues or concerns related to fitness, public interest, public convenience and necessity or any other issue resulting from a compliance review, audit, inspection report, complaint or public comment. See chapter [480-07](#) WAC for rules governing hearings and brief adjudicative proceedings.

### WAC 480-15-360

#### Retaining copies of the permit.

Carriers must keep the original **HHG operating** permit in their main office and carry a copy in each vehicle used to transport household goods. Carriers must show a copy of the **HHG operating** permit to any law enforcement or compliance officer who asks to see it.

### WAC 480-15-370

#### Lost or destroyed permit.

Carriers may write to the commission and request replacement of a lost or destroyed **HHG operating** permit. The commission will issue a replacement **HHG operating** permit at no charge.

### WAC 480-15-380

#### Allowing others to use permit authority.

Intrastate carriers may not allow others to transport household goods under their **HHG operating** permit authority. Only the lawful permit holder may conduct operations under a household goods permit. Carriers may not lease **HHG operating** permit authority, but may lease vehicles from others for use in their own operations pursuant to the leasing rules in WAC [480-15-590](#) and [480-15-600](#).

### WAC 480-15-390

#### Permit names or trade names.

(1) A carrier must conduct operations under the exact name shown on its **HHG operating** permit. If a carrier does business under a trade or assumed name, that name must also appear on the permit.

(2) A carrier may not operate under a name that is similar to another carrier unless one of the following conditions applies:

(a) The carrier whose name is similar has given written permission to use the name.

(b) The commission authorizes use of the similar name. Before authorizing use of a similar name, the commission must first determine that the use of the similar name will not mislead the shipping public or result in unfair or destructive competitive practices.

### WAC 480-15-400

#### Changing a **HHG operating** permit name.

(1) Carriers must file a name change application to change the **HHG operating** permit name, corporate name or trade name or to add a trade name to the permit.

(2) Carriers must include the application fee (as shown in WAC [480-15-230](#)), copies of any corporate minutes authorizing the name change and proof that the carrier has properly registered the new name with the department of licensing, office of the secretary of state or other agencies as may be required.

(3) Carriers must file an application to transfer or acquire control of permanent **HHG operating** authority if the name change is the result of a change in ownership or controlling interest.

(4) Carriers may not advertise or operate under the proposed name change until the commission approves the application.

#### WAC 480-15-410

##### Voluntary suspension of a **HHG operating** permit.

(1) If a carrier is unable to use its **HHG operating** permit due to medical reasons or because of active military service, it may request the authority be voluntarily suspended.

(2) The carrier must send its request to the commission in writing and include the following information:

(a) Name, address, and **HHG operating** permit number.

(b) The reason for the request (e.g., medical statement, military orders).

(c) The date voluntary suspension is requested to begin.

(d) The length of time the carrier will be unable to use the **HHG operating** permit.

(e) A statement that no household goods transportation will occur under the **HHG operating** permit while it is suspended.

(3) The commission will issue an order suspending the **HHG operating** permit. The order will set the length of time and the terms of suspension.

(4) To activate a suspended **HHG operating** permit, a carrier must send the commission a letter advising that it is ready to resume household goods service and agree to conduct operations in compliance with all laws and rules. The carrier must satisfy any outstanding filing requirements before the commission will issue an order lifting the suspension.

(5) If the carrier does not activate the **HHG operating** permit before the suspension period expires, the commission may cancel the permit.

#### WAC 480-15-420

##### Voluntary cancellation of a **HHG operating** permit.

If a carrier no longer wants to use its **HHG operating** permit, the carrier may send the commission a written request that it be canceled. The cancellation request must include the carrier's name, address and **HHG operating** permit number. The commission will issue an order canceling the **HHG operating** permit, effective on the date of the order.

#### WAC 480-15-430

##### Involuntary suspension.

(1) The commission may suspend a **HHG operating** permit without the carrier's authorization for good cause. Good cause includes, but is not limited to, the carrier:

(a) Failing to maintain evidence of required cargo insurance coverage for all areas of its operations.

(b) Failing to maintain evidence of required liability insurance coverage for all areas of its operations.

(c) Failing to comply with the rates and rules contained in the commission-published **HHG Tariff 15-C**.

(d) Failing or refusing to comply with applicable laws and commission rules pertaining to operations of household goods carriers, including safety requirements set in law or rule.

(e) Allowing others to transport goods under the carrier's **HHG operating** permit authority.

(f) Committing fraud.

(2) The commission may suspend a **HHG operating** permit without an opportunity for hearing if there is imminent danger to the public health, safety or welfare and there is insufficient time to conduct a hearing.

(3) The commission will send the carrier notice of its action to suspend the carrier's **HHG operating** permit. The suspension begins on the effective date listed in the notice.

(4) A carrier may contest the suspension of its **HHG operating** permit by requesting a hearing or brief adjudicative proceeding. Chapter [480-07](#) WAC describes the procedures for such hearings.

(5) The commission will lift the suspension of the **HHG operating** permit after the carrier corrects all conditions leading to the suspension.

#### **WAC 480-15-450**

##### **Involuntary cancellation of a **HHG operating** permit.**

(1) The commission may cancel a **HHG operating** permit without the carrier's authorization for good cause. Good cause includes, but is not limited to, the carrier:

(a) Failing to file an annual report or pay required regulatory fees.

(b) Failing to correct, within the time frame specified in the suspension order, all conditions that led to the suspension of a **HHG operating** permit.

(c) Failing or refusing to comply with applicable laws and commission rules pertaining to operations of household goods carriers, including safety requirements set in law or rule.

(d) Failing to supply information necessary to the commission for the performance of its regulatory functions when the commission requests the carrier to do so.

(e) Submitting false, misleading or inaccurate information.

(f) Allowing others to transport goods under the carrier's **HHG operating** permit authority.

(g) Operating in a manner that constitutes unfair or deceptive business practices.

(h) Committing fraud.

(2) The commission will hold a hearing prior to canceling a **HHG operating** permit unless the permit is subject to cancellation because the carrier failed, within the time frame specified by a suspension order, to correct the causes of the suspension. In that case:

(a) The commission will send the carrier notice of the date the commission will cancel a **HHG operating** permit. The commission will enter an order canceling the permit thirty days after the

service date of the notice.

(b) A carrier may contest the cancellation of its **HHG operating** permit by requesting a hearing or brief adjudicative proceeding. Chapter [480-07](#) WAC describes the procedures for such hearings.

(3) When the commission has canceled a household goods carrier permit, the carrier must, when directed by the commission, provide notice to every customer that its permit has been canceled, and provide proof of such notice to the commission.

(4) If the permit is canceled and the carrier corrects all conditions that led to cancellation of the permit, the carrier may apply for reinstatement.

(a) To reinstate the **HHG operating** permit within thirty days of cancellation, the carrier must file an application for reinstatement and pay the applicable reinstatement fees as stated in WAC [480-15-230](#).

(b) If the carrier files an application for reinstatement after thirty days of cancellation, the application will be considered in all aspects to be an application for new authority and will be subject to all terms and conditions specified in WAC [480-15-240](#) for new entrants.

In addition to the needed changes to the above listed WAC 480-15 rules, the current WUTC "HOUSEHOLD GOODS MOVING COMPANY PERMIT APPLICATION" needs to be revised to:

(1) Include a requirement for submission by the applicant of documentation showing compliance with state tax, labor, employment, business and vehicle licensing laws and rules.

(2) Increasing the mandatory limits for cargo insurance to:

(i) \$50,000 if vehicle is under 10,000 GVWR, and

(ii) \$100,000 if vehicle is over 10,001 GVWR.