



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

August 2, 2012

David W. Danner, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Quick Move Transport, LLC*
Commission Staff's Response to Application for Mitigation of Penalties
Docket TV-120942

Dear Mr. Danner:

On July 24, 2012, the Washington Utilities and Transportation Commission issued a \$250 Mitigated Penalty Assessment in docket TV-120942 against Quick Move Transport, LLC for 10 violations of Washington Administrative Code (WAC) 480-15-480, which requires permitted household goods carriers to furnish annual reports to the commission no later than May 1 each year.

On July 30, 2012¹, Quick Move Transport, LLC wrote the commission requesting mitigation of penalties (Mitigation Request). In its Mitigation Request, Quick Move Transport, LLC does not dispute that the violation occurred. The company states, "Last April, I checked the UTC website and thought I saw the annual report due date as May 15th. When submitting the report on the 15th, I became aware of the actual may 1st deadline. It was an incident caused by a simple mistake, and one that will not happen again."

It is the company's responsibility to ensure that the regulatory fee and the annual report are filed by the May 1 deadline. On February 29, 2012, Annual Report forms and Regulatory Fee packets were mailed to all regulated household goods carriers. On May 15, 2012, the commission mailed a letter to those companies that had not yet filed an annual report notifying them that, to date, they had incurred a penalty of \$900. The letter went on to explain that companies who filed their annual reports no later than May 25, 2012, would receive mitigated penalties of \$25 per day, with an additional \$25 per day for each instance in the previous five years that the company received a penalty for filing a late report.

Quick Move Transport, LLC filed its annual report on May 15, 2012, which is 10 business days past the deadline of May 1, 2012. The penalty was mitigated from \$100 per day to \$25 per day for a total of \$250. Quick Move Transport, LLC became regulated in April 2009 and has never received a penalty for filing a delinquent annual report.

¹ See attachment for Quick Move Transfer, LLC Mitigation Request.



Staff supports mitigating the assessed penalty further, from \$250 to \$125, which represents a 50 percent reduction because this is Quick Move Transport's first late filing.

If you have any questions, please contact Mathew Perkinson, Compliance Investigator, at (360) 664-1105, or at Mperkinson@utc.wa.gov.

Sincerely,



Sharon Wallace, Assistant Director
Consumer Protection and Communications

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WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT TV-120942

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PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

NO MONIES ENCLOSED

- 1. Payment of penalty. I admit that the violations occurred. I have:
 - Enclosed \$250 in payment of the penalty
 - Submitted my payment of \$250 online at www.utc.wa.gov. My confirmation number is _____.

- 2. Request for a hearing. I believe that one or more of the alleged violations did not occur, based on the following information, and request a hearing, which is a process that allows an affected person to present argument to an administrative law judge for a decision by an administrative law judge:

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- 3. Application for mitigation. I admit the violations, but I believe that the penalty should be reduced for the reason(s) set out below.

Last April, I checked the UTC website and thought I saw the annual report due date as May 15th. When submitting the report on the 15th, I became aware of the actual May 1st deadline. It was an incidence caused by a simple mistake, and one that will not happen again.

a) I ask for a hearing for a decision by an administrative law judge based on the information presented above.

OR b) I waive a hearing and ask for an administrative decision on the information I present directly above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: 7/27/2012 [month/day/year], at Kirkland, WA [city, state]

Quick Move Transport, LLC
Name of Respondent (company) - please print

[Signature]
Signature of Applicant

RCW 9A.72.020:

"Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his statement was not material is no defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony."

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