



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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August 8, 2017

Steven V. King, Executive Director and Secretary  
Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250  
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. Old School Movers LLC*

Commission Staff's Response to Contested Violation TV-170539

Dear Mr. King:

On July 3, 2017, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TV-170539 against Old School Movers LLC for 10 violations of Washington Administrative Code (WAC 480-15-480), which requires household good companies to furnish annual reports and the regulatory fee to the commission no later than May 1 each year.

On July 20, 2017, Old School Movers LLC wrote the commission contesting the violation and the associated penalty. In its request, Old School Movers LLC disputes that the violation occurred. The company states, "...this issue should be resolved because the violations DID NOT occur: Enclosed is a copy of the 2016 UTC annual report and copy of the 2017 regulatory fee in the amount of \$388.71 paid April 27<sup>th</sup>, 2017. These were completed on said date electronically on the Commission's official website. Until this year, the annual reports have always been timely hand-done and paid by business checks with no problems, so it is unsettling to have an arbitrary violation demanding penalty payments due to there being no report/fee received by the Commission. Please review with staff to determine how this mistake happened." Old School Movers LLC provided a copy of their complete annual report and the confirmation page showing that their regulatory fee was paid on April 27.

It is the company's responsibility to ensure that the regulatory fee is paid and the annual report is filed by the May 1 deadline. On February 28, 2017, Annual Report packets were sent to all regulated household good companies. The instructions page informs the regulated company that it must complete the annual report form and pay the regulatory fees, and return the materials by May 1, 2017, to avoid enforcement action.

Paying the regulatory fee and filing the annual report are two separate processes. The company paid the regulatory fee timely. Although the Company may have attempted to file the report electronically on April 27, their attempt was ultimately unsuccessful and a complete report was not received prior to May 1. When a company files electronically, they input their individual name, an email address, and the filing type into the cover sheet. Additionally, they upload the documents to be submitted to the Commission. Once submitted, the email address that was provided, receives a confirmation email confirming the submittal was received. This email outlines the document names that were uploaded and received by the commission. Commission Staff reviewed Commission records and then spoke with Old School Movers LLC on August 8 and confirmed that the company did not receive a confirmation number or confirmation email. Companies are encouraged to contact Commission Staff if they want confirmation of their filing status.

Old School Movers LLC filed their complete annual report on July 20, 2017.

The Commission recognizes that this is the company's first violation of WAC 480-15-480 and accordingly, suspended \$750 of the assessed penalty on the condition that the company: file its complete annual report; pay the regulatory fee; and pay the unsuspended portion of the penalty. The company has met the first two conditions. The company filed the complete annual report and paid the regulatory fee. Staff does not believe that further mitigation is warranted. It is staff's recommendation that the Commission waive the \$750 portion of the suspended penalty and reaffirm the \$250 unsuspended portion of the penalty.

If you have any questions regarding this recommendation, please contact Sean Bennett, Regulatory Analyst, at (360) 664-1157, or [sbennett@utc.wa.gov](mailto:sbennett@utc.wa.gov).

Sincerely,

/s/ Sean Bennett

Sean Bennett, Regulatory Analyst  
Administrative Services