

Agenda Date: March 29, 2018
Item Number: B4

Docket: TV-180183
Company Name: Household Goods Carriers (General)

Staff: Benjamin Sharbono, Regulatory Analyst

Recommendation

Issue an order granting an exemption from WAC 480-15-480(1)(b), which requires mailing out annual report forms to each household goods permit holder. This would enable staff to replace the paper annual report form process this year with an email containing links to the annual report forms, instructions, and the commission’s electronic filing portal, which is the same process used to distribute annual report forms to all of the other regulated industries.

Discussion

On March 1, 2018, Washington Utilities and Transportation Commission (commission) staff (staff) filed a petition requesting an exemption from WAC 480-15-480(1)(b), the requirement that the commission “mail an annual report form and instructions to each household goods permit holder at its address of record.” Staff understands the rule to mean that staff must send paper copies of the annual report through the postal service to fulfil the requirement. In providing the annual report form in paper form, staff believes the commission is encouraging household goods permit holders to respond using the paper form. This is inconsistent with the commission’s procedural rule WAC 480-07-140(5) adopted in 2017, which states, “the commission accepts only electronic versions of documents for formal filing.”

In WAC 480-08-140(1)(b), the commission states, “Formal filings are written submissions that . . . are required by statute or commission rule....” As noted in the petition, RCW 81.04.080, and commission rule, WAC 480-15-480, both require that household goods companies submit an annual report to the commission. Based on these points, an annual report would be considered a formal filing and thus returning a paper copy does not meet the electronic filing requirement.

In place of mailing paper forms via the postal service, staff proposes to send only an email containing links to an Excel-based annual report form, instructions to complete the form, and to file using the commission’s electronic filing portal, which is the process that staff uses for all other industries. These efforts would reduce paper waste and expenses for both the commission and the companies.

Staff recognizes that electronic filing of annual reports is a transition, and staff has provided assistance to companies that encountered challenges. Staff will continue to educate companies about the electronic filing requirements in WAC 480-07-140, and to advise companies of options to achieve compliance. Staff’s assistance so far has allowed several companies, including household goods carriers, to correctly file reports—by providing the Excel-based forms directly, informing companies of other software programs, and walking them through completing the forms electronically.

Customer Comments

On Friday, March 2, 2018, the Washington Movers Conference sent an email to Assistant Attorney General Jennifer Cameron-Rulkowski, stating “the proposed change makes excellent sense and the Washington based intrastate moving industry supports the change.”

On Tuesday, March 20, 2018, the Washington Trucking Association informed Assistant Director of Water and Transportation Danny Kermode in a phone call that it did not oppose the petition.

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