

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

In the Matter of the Penalty Assessment) DOCKET TV-060980
Against SPEEDY DELIVERY, LLC in the)
Amount of \$100.00) ORDER 02
)
)
) ORDER DENYING MITIGATION
.....)

1 **Penalty:** On July 5, 2006, the Washington Utilities and Transportation Commission (Commission) assessed a penalty in the amount of \$100 against Speedy Delivery, LLC (Speedy) for one violation of WAC 480-15-480(4), which requires household good carriers to file annual reports to the commission no later than May 1 of each year.

2 **Petition for Mitigation:** On July 26, 2006, Speedy filed a petition for mitigation and waived a hearing. Speedy asserted that it had only recently begun performing household good moves because it was trying to merge those operations into its other business. Speedy stated that it performed one household goods move in 2005 and had recently moved.

3 **Answer:** On August 3, 2006, Commission Staff responded to the petition for mitigation. Staff stated that Speedy was granted temporary operating authority in October 2004 and that permanent authority was granted in May 2005. Staff asserted that Speedy did not inform the commission of its new address. Moreover, during a phone conversation with staff on May 25, 2006, Speedy stated that it did receive the 2005 Annual Report Form at its new location. Staff opposed mitigation because Speedy received the forms packet and could have complied with the regulation, but did not.

4 **Commission Decision:** The Commission denies the petition. Speedy has been authorized to conduct household goods moves since October 2004. It is important for household good carriers to familiarize themselves with applicable regulations and take the appropriate action to comply with those regulations. Moreover, in a phone

conversation with Staff approximately three weeks after the filing deadline, Speedy admitted that although it had moved business locations, it actually received the Annual Report form. Nonetheless, according to Attachment A to the response to the petition for mitigation, Speedy had not filed its Annual Report as of June 12, 2006. Accordingly, it is appropriate to assess a penalty in the amount of \$100.

5 It is so ordered.

DATED at Olympia, Washington, and effective September 13, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-07-850, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-07-870.