

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

In the Matter of the Penalty Assessment)	DOCKET TV-060980
Against)	
)	ORDER 03
STORES DELIVERY SERVICE, INC.)	
D/B/A SOUND DELIVERY SERVICE)	
)	ORDER DENYING MITIGATION
in the Amount of \$100)	
)	
)	
.....)	

1 **Penalty:** On July 5, 2006, the Washington Utilities and Transportation Commission (Commission) assessed a penalty in the amount of \$100 against Stores Delivery Service, Inc. d/b/a Sound Delivery Service (Sound Delivery) for one violation of WAC 480-15-480, which requires household goods carriers to file annual reports to the Commission no later than May 1 of each year.

2 **Petition for Mitigation:** On July 10, 2006, Sound Delivery filed a petition for mitigation and waived a hearing. Sound Delivery asserted that it does not haul any items classified as household goods. Sound Delivery stated that its failure to file its annual report was overlooked and asks the Commission to consider its record of properly filing its annual reports in years past. Sound Delivery submitted its 2005 annual report on August 7, 2006.

3 **Answer:** On July 28, 2006, Commission Staff responded to the petition for mitigation. Staff stated that whether Sound Delivery uses the household goods authority in its permit or not, the rules still apply to it. Staff stated compliance in previous years does not excuse non-compliance now. Staff opposed mitigation because past compliance and use of the permit for hauling loads other than household goods does not excuse the violation.

- 4 **Commission Decision:** The Commission denies the mitigation. It is Sound Delivery's responsibility to comply with Commission rules whether it uses the household goods authority it is permitted or not.
- 5 It is so ordered.

DATED at Olympia, Washington, and effective October 5, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary