



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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June 25, 2015

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. Morgan Transfer of Washington, LLC / Western Transfer of Washington, LLC*

Commission Staff's Response to Request for Hearing and Mitigation TV-150917

Dear Mr. King:

On May 29, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TV-150917 against Morgan Transfer of Washington, LLC / Western Transfer of Washington, LLC for 10 violations of Washington Administrative Code (WAC 480-15-480), which requires household goods carriers to furnish annual reports to the commission no later than May 1 each year.

On June 9, 2015, Morgan Transfer wrote the commission requesting mitigation and Western Transfer wrote the commission requesting a hearing disputing the violation occurred. Both company responses provide identical information. The responses provided information related to the sale and transfer of all assets effective January 1, 2015 from Morgan Transfer to Western Transfer. The owners of both operations state that since the closing business (Morgan Transfer.) was no longer in business and the new business (Western Transfer) did not operate during 2014, they were unaware reports were required.

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 27, 2015, Annual Report packets were mailed to all regulated household goods carriers. The instructions for annual report completion page of the annual report informed the regulated company that it must complete the annual report form, pay the regulatory fees, and return the materials by May 1, 2015, to avoid enforcement action.

On June 6, 2015, Morgan Transfer filed a complete 2014 annual report and paid the required regulatory fees. The company previously missed the deadline to file its annual report and pay

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regulatory fees for the 2013 reporting year. Morgan Transfer did notify the commission of the sale of assets and requested the transfer of the operating permit under Docket TV-150148 on February 11, 2015. Staff finds the owners' statements sincere in the belief there would be no filing requirement due to the timing of the transfer. As this transfer occurred during the months immediately preceding the filing deadline, staff would be amenable to waiving the penalty as the company has come into compliance with the reporting requirements.

If you have any questions regarding this recommendation, please contact Amy Andrews, Regulatory Analyst, at (360) 664-1157, or aandrews@utc.wa.gov.

Sincerely,



Sondra Walsh, Director
Administrative Services