

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation of

SUPERHEROES MOVING AND
STORAGE LLC

For Compliance with WAC 480-15-530,
WAC 480-15-550, WAC 480-15-555,
WAC 480-15-560, and WAC 480-15-570

DOCKET TV-220321

DECLARATION OF TRACY COBILE

- 1 I, Tracy Cobile, under penalty of perjury under the laws of the state of Washington, declare as follows:
- 2 I am over 18 years of age, a citizen of the United States, a resident of the state of Washington, and competent to be a witness.
- 3 I am employed by the Washington Utilities and Transportation Commission (Commission) as a Special Investigator in the Motor Carrier Safety section, I have been in this position for one year and four months. As a Special Investigator with the Motor Carrier Safety section for the Commission, I conduct compliance investigations on regulated transportation companies which includes inspecting applicable company records and commercial motor vehicles.
- 4 As part of my 2022 Motor Carrier Safety workplan, on March 7, 2022, I initiated a routine safety investigation of Superheros Moving & Storage LLC. As part of my investigation I utilized the UTC SharePoint site to view the current permit status and history details for Superheroes Moving & Storage LLC. The initial permit for the company was issued on January 20, 2020 (TV200014).
- 5 During the course of my investigation, I discovered on July 26, 2021 Superheroes Moving & Storage LLC was issued a permit cancellation letter (TV210576) and had its permit cancelled for failure to provide acceptable proof of insurance. The carrier was notified in the letter to immediately cease all operations associated with its permit (THG069055).
- 6 During the course of my investigation, I discovered that on January 5, 2022 the temporary permit for Superheroes Moving & Storage LLC was reinstated by the Commission (TV210935). The carrier submitted its insurance policy that was effective November 23, 2021 for review and consideration of the Commission prior to its permit reinstatement.
- 7 Through my review, I discovered that between July 22, 2021 and January 5, 2022 the carrier operated a total of 76 times without a valid permit. The sample period for purposes of my compliance investigation was from September 7, 2021 through March 7, 2022. Although the carrier may have operated without a permit prior to the investigation sample period, my

investigation only took into account the previous six months of operations from when the company was initially contacted. Based on the records provided during the six months preceding the start to this investigation as identified, the carrier operated commercial motor vehicles in commerce conducting household goods moves without auto liability and property damage insurance on 61 occasions, and for the same time period identified operated on 61 occasions without cargo insurance. The bill of ladings provided by the carrier were used to determine when the carrier conducted household goods moves during these times.

8 I found the following violations occurred when the carrier operated under its permit:

- Four critical violations of 391.45(a) - with 31 occurrences identified
- Four critical violations of 391.51(b)(2)
- Fourteen critical violations of WAC 480-15-555
- Twenty-six critical violations of 395.8(a)(1)
- Sixteen critical violations of 396.11(a)
- Three critical violations of 396.17(a)
- One critical-type violation of 391.51(a)
- Five violations of 396.3(b)(1)
- Five violations of 391.21(a)
- One violation of 391.23(a)(2)
- Four violations of 391.51(b)(3)
- Two violations of 391.51(b)(4)
- One violation of 391.51(b)(9)
- Seven violations of 391.51(c)
- One violation of WAC 480-15-480(4)
- Five violations of 396.3(b)(2)
- Five violations of 396.3(b)(3)
- One violation of 393.47(a)
- One violation of 393.45(d)
- One violation of 393.9(a)
- One violation of 393.75(a)(3)
- One violation of 396.3(a)(1)

DATED at Olympia, Washington, and effective this 25 day of May 2022.

/s/ Tracy Cobile

TRACY COBILE