

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the Proper
Carrier Classification of, and Complaint for
Penalties against:

DOLLY, INC.

DOCKET TV-171212

COMMISSION STAFF'S MOTION FOR
IMPOSITION OF SUSPENDED
PENALTY FOR VIOLATION OF
COMMISSION ORDER

I. INTRODUCTION

1 This is Commission Staff's motion requesting that the Commission impose \$69,000
in suspended penalties against Dolly, Inc. for violation of the Commission's Order 04 in this
docket.

II. RELIEF REQUESTED

2 Commission Staff requests that the Commission lift the suspension it placed on the
\$69,000 penalty it imposed against Dolly, Inc. in Order 04 and demand that Dolly, Inc. pay
the \$69,000 penalty immediately.

III. STATEMENT OF FACTS

3 The Commission imposed—and suspended—a \$69,000 penalty against Dolly, Inc.
on May 18, 2018.¹ This penalty followed a lengthy administrative process that culminated in
Order 04 in this docket, which classified Dolly, Inc. as a household goods carrier, a motor
freight carrier, and a solid waste collection company operating in contravention of law, and
ordered Dolly, Inc. to cease and desist its operations in Washington.² In Order 04, the
Commission stated that it would impose the \$69,000 suspended penalty against Dolly, Inc.,

¹ *In re Determining the Proper Carrier Classification of, and Complaint for Penalties Against Dolly, Inc.*,
Docket TV-171212, Order 04, at 19 ¶¶ 77-78 (May 18, 2018) (“Order 04”).

² *See generally*, TR. at 4-98.

if the Commission found that the company had continued its operations in Washington in violation of Order 04.³ The Commission's regulatory Staff conducted an investigation of Dolly, Inc. after the issuance of Order 04 and has determined that not only has Dolly not ceased its Washington operations, it has in fact continued to actively promote and market those operations. Decl. of Susie Paul.

IV. ISSUE STATEMENT

4 The issue is whether the Commission should enter an order lifting its suspension of the \$69,000 penalty imposed against Dolly, Inc. in Order 04 in this matter and require Dolly, Inc. to pay the \$69,000 penalty immediately.

V. EVIDENCE RELIED UPON

5 Commission Staff relies on the records on file in Docket UT-171212 and the attached Declaration of Susie Paul.

VI. ARGUMENT

6 The Commission suspended the penalty it imposed against Dolly, Inc. to incent the company's compliance with Order 04, including the order's cease and desist provisions. That incentive has failed. Dolly, Inc. has continued to perform regulated services without operating authority from the Commission, and it has continued to advertise that it provides those services. The Commission should lift the suspension of penalties and require Dolly, Inc. to pay the full \$69,000 penalty imposed in Order 04 in this docket.

VII. CONCLUSION

7 For the above reasons, the Commission should lift its suspension of the \$69,000 penalty against Dolly, Inc. The company continues to violate the Commission's Order 04.

³ Order 04 at 19 ¶ 77.

The Commission should not permit Dolly, Inc. to flout the law and the Commission's Order with impunity.

DATED July 12, 2018.

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