



STATE OF WASHINGTON  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250  
(360) 664-1160 • TTY (360) 586-8203

February 1, 2011

David W. Danner, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P. O. Box 47250  
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Metropolitan Movers, Inc. d/b/a  
The Family Movers*  
Commission Staff's Response to Application for Mitigation of Penalties  
Docket TV-101791

Dear Mr. Danner:

On January 4, 2011, the Washington Utilities and Transportation Commission (commission) assessed a \$1,500 penalty against Metropolitan Movers for violations of WAC 480-15-710, which requires that household goods carriers complete bills of lading in compliance with Tariff 15-C, and WAC 480-15-490(3), which requires that carriers follow the terms, conditions, rates, and all other requirements imposed by Tariff 15-C. There were two items out of compliance with WAC 480-15-710: (1) failure to record customer method of payment and (2) failure to clearly identify charges for materials. There were thirteen items for which the company charged unauthorized rates in violation of WAC 480-15-490(3): tape, sofa bags, chair bags, cardboard, carpet mask, stretch wrap, packing materials, paper pads, fuel surcharge, tariff transportation allowance, additional van charge, and storage in transit.

On January 21, 2011, Metropolitan Movers filed an Application for Mitigation of Penalties (Mitigation Request), waiving a hearing and asking for an administrative decision on the information it presented. For the reasons below, Staff supports a full suspension of the penalty conditioned on Metropolitan Movers fulfilling certain requirements.

In its Mitigation Request, Metropolitan Movers argues that the company will be working with commission staff to correct each of the deficiencies identified in the investigation report and comply with commission rules. Metropolitan Movers has agreed to attend commission-conducted household goods training. Metropolitan Movers stated that the company worked closely with the commission to resolve the one consumer complaint identified in the investigation report, and that "as a small business in a slow economy," the company "simply



David W. Danner  
February 1, 2011  
Page 2

cannot afford to pay any additional unbudgeted expenses (fines).” The company does not dispute that the violations occurred.

Staff supports a full suspension of the penalty provided that Metropolitan Movers: (1) corrects each of the deficiencies identified in the investigation report and provides copies of all corrected forms to Staff no more than 30 days following the date of the Final Order on the Mitigation Request and (2) attends household goods training on April 26, 2011, in Olympia.

Because the violations appear to be inadvertent and not intended to defraud, mislead, or misrepresent Metropolitan Movers’ services to the public, and because Metropolitan Movers is taking immediate proactive steps to correct the violations identified in the penalty assessment, Staff recommends full suspension of the penalty provided the company fulfills the requirements outlined above.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sharon Wallace".

Sharon Wallace, Assistant Director  
Consumer Protection and Communications