

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment)	DOCKET TV-140936
Against)	
)	ORDER 01
ADVANCE RELOCATION EXPERT,)	
LLC)	ORDER GRANTING
)	MITIGATION
in the amount of \$1,000)	
.....)	

BACKGROUND

- 1 Washington law requires household goods carriers to file annual reports and pay regulatory fees by May 1 of each year. WAC 480-15-480. On February 28, 2014, the Washington Utilities and Transportation Commission (Commission) mailed annual report and regulatory fee packets to all household goods carriers. The forms included a reminder that companies must file their annual reports and pay their regulatory fees by May 1, 2014, or face penalties of \$100 for each violation of Commission rules. In the case of continuing violations, each day's continuance is a separate violation. RCW 80.04.405.
- 2 Advance Relocation Expert did not file its annual report on May 1, 2014, and had not made that filing by May 15. On June 3, the Commission assessed a penalty of \$1,000 against Advance Relocation Expert, calculated as \$100 per business day from May 1 to May 15.
- 3 On May 27, 2014, Advance Relocation Expert filed its annual report and paid its regulatory and late payment fees.
- 4 On June 11, 2014, Advance Relocation Expert responded to the Commission's penalty assessment and requested mitigation based on the written information provided. The Company explained that its owner experienced medical issues in the first part of the year that made it difficult for him to work. The Company also stated that the penalty would create a financial hardship. Finally, the Company provided assurances of future compliance.

5 On June 25, 2014, Commission Staff (Staff) filed a response recommending the Commission grant full mitigation of the penalty due to the Company's compelling circumstances. Staff also noted that the Company has no prior violations of WAC 480-15-480.

DISCUSSION

6 The Commission agrees with Staff's recommendation and will not impose a penalty. The Commission's primary objective in any enforcement action is to ensure compliance with a company's legal obligations; penalties both punish past violations and provide an incentive to comply in the future. Given the circumstances here, we believe neither punishment nor incentive is warranted. The Company's owner experienced medical issues that prevented him from working the first part of the year, and the Company has provided assurances that future reports will be timely filed. Additionally, the Company has been active since 2005 and has no previous violations of WAC 480-15-480. Under these circumstances, we will grant full mitigation of the penalty.

ORDER

THE COMMISSION ORDERS:

7 (1) The request of Advance Relocation Expert, LLC for mitigation of the \$1,000 penalty is GRANTED.

8 (2) No penalty is due.

9 The Secretary has been delegated authority to enter this order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Olympia, Washington, and effective July 15, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING

Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website. The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's website.