

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment)	DOCKET TV-140986
Against)	
)	ORDER 01
QUAD CITIES MOVING &)	
STORAGE, INC.)	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 Quad Cities Moving & Storage did not file its annual report on May 1, 2014, and had not made that filing by May 15. On June 6, the Commission assessed a penalty of \$1,000 against Quad Cities Moving & Storage, calculated as \$100 per business day from May 1 to May 15.
- 3 On June 20, 2014, Quad Cities Moving & Storage responded to the Commission’s penalty assessment and requested mitigation based on the written information provided. The Company explained its owner was diagnosed with cancer in March 2014, and has been undergoing radiation and chemotherapy treatments ever since. Due to the owner’s intensive treatment schedule, his ability to work was impaired, and the filing deadline for the Company’s annual report was overlooked.
- 4 On June 20, 2014, Quad Cities Moving & Storage filed its annual report and paid its regulatory and late payment fees.

5 On July 7, 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 compelling circumstances here, we believe neither punishment nor incentive is warranted. The Company's owner has been diagnosed with a serious medical condition and is undergoing multiple treatments that have limited his ability to work. Additionally, the Company has been active since 2006 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 Quad Cities Moving & Storage 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.