

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment	)	DOCKET TV-150900
Against	)	
	)	ORDER 01
CROWN MOVING COMPANY, INC.	)	
	)	ORDER DENYING 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 27, 2015, 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, 2015, 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 Crown Moving Company, Inc. (Crown Moving or Company) filed an incomplete annual report on May 5, 2015, and paid the required regulatory fees. On May 27, the Commission assessed a penalty of \$1,000 against Crown Moving, calculated as \$100 per business day from May 1 to May 15.
- 3 On June 1, 2015, Crown Moving filed its completed annual report. That same day, the Company responded to the Commission’s penalty assessment, admitting the violations and requesting mitigation based on the written information provided. The Company explained that, historically, it did not include data related to mileage and number of household goods moves in its annual report, but provided assurances that it will do so going forward.
- 4 On June 10, 2015, Commission Staff (Staff) filed a response recommending the Commission deny the Company’s request for mitigation. Staff explained that the Company was previously delinquent in 2013, and received a mitigated penalty at that time. Staff also noted that the Company was advised in 2014 that it must include the information that was omitted in 2015.

**DISCUSSION**

5 WAC 480-15-480 requires permitted household goods carriers to file annual reports and pay regulatory fees by May 1 of each year. Companies are responsible for complying with their legal obligations, and the Company should have ensured its complete annual report was received by May 1. Moreover, the Company was advised in 2014 that it must submit mileage and household goods moves data.

6 The Commission agrees with Staff's recommendation and denies the Company's request for mitigation. The Commission may consider a number of factors when entertaining a request for mitigation, including the company's compliance history, whether the violation was promptly corrected, and the likelihood the violation will recur.<sup>1</sup> Ultimately, the Commission's goal is to gain compliance going forward. Here, the Company has a history of noncompliance; it received and paid a reduced penalty in 2013. The Company also failed to correct the violations until it received the penalty assessment. Finally, the Company initially submitted an incomplete annual report despite receiving technical assistance in lieu of a penalty for these same violations in 2014. Accordingly, the violations are likely to recur absent an escalated penalty. The Commission finds the penalty amount to be a reasonable deterrent to overlooking future filing deadlines and requirements.

**ORDER**

**THE COMMISSION ORDERS:**

- 7 (1) Crown Moving Company, Inc.'s request for mitigation of the \$1,000 penalty is DENIED.
- 8 (2) The penalty is due and payable no later than August 10, 2015.

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<sup>1</sup> Docket A-120061, Enforcement Policy for the Washington Utilities and Transportation Commission (January 7, 2013).

- 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 31, 2015.

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.**