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**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Penalty Assessment)	DOCKET TV-060980
Against PETER A. CLARKE D/B/A)	
CLARKE PIANO & FURNITURE)	ORDER 04
MOVING in the Amount of \$100.00)	
)	ORDER CANCELING HEARING
)	AND ESTABLISHING
)	DEADLINE FOR REMITTING
)	PAYMENT AND FILING
)	ANNUAL REPORT
)	(December 1, 2006)
.....)	

- 1 **Penalty:** On July 5, 2006, the Washington Utilities and Transportation Commission (Commission) assessed a penalty in the amount of \$100 against Peter A. Clarke d/b/a Clarke Piano & Furniture Moving (Clarke Moving) for one violation of WAC 480-15-480(4), which requires household good carriers to file annual reports with the Commission no later than May 1 of each year.

- 2 **Request for Hearing:** On July 11, 2006, Clarke Moving filed a request for hearing. On July 26, 2006, the Commission Staff (Staff) filed its response to the request for hearing.

- 3 **Brief Adjudicative Proceeding:** On October 11, 2006, the Commission issued a notice of brief adjudication and scheduled the hearing for November 1, 2006. The hearing convened, as scheduled, and Clarke Moving and Staff presented testimony.

- 4 **Commission Decision:** On November 1, 2006, Clarke Moving filed a letter withdrawing its request for hearing. Clarke Moving stated that it will pay the fine and submit the correct information as soon as possible. Accordingly, the Commission determines that the hearing should be canceled. However, Clarke Moving was penalized for failure to file its annual report in a timely manner. That report was due on May 1, 2006. Therefore, the Commission determines that Clarke Moving must remit full payment for the penalty as well as the 2005 annual report no later than

December 1, 2006, or the Commission will consider taking additional enforcement action.

5 It is so ordered.

DATED at Olympia, Washington, and effective November 1, 2006.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary