

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment)	DOCKET TV-150910
Against)	
)	ORDER 01
JETTE MOVING, LLC)	
)	ORDER GRANTING
in the amount of \$300)	MITIGATION TO \$75
.....)	

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 Jette Moving, LLC (Jette Moving or Company) filed its annual report late on May 6, 2015. On May 29, the Commission assessed a penalty of \$300 against Jette Moving, calculated as \$100 per business day from May 1 to May 6.
- 3 On June 22, 2015, Jette Moving responded to the Commission’s penalty assessment, admitting the violations and requesting mitigation based on the written information provided. The Company explained that it mailed its annual report well before the May 1 deadline.
- 4 On June 30, 2015, Commission staff (Staff) filed a response recommending a penalty reduction to \$25 per day, or \$75, because the Company obtained its household goods carrier permit in 2014 and therefore has no prior violations of WAC 480-15-480.

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 annual report was timely filed. The Commission’s reminder was clear that reports must be received, not postmarked, by the May 1 deadline.

6 The Commission nevertheless agrees with Staff's recommendation. The Commission may consider a number of factors when entertaining a request for mitigation, including a company's history of compliance and the likelihood the violation will recur.¹ As a newly regulated Company, Jette Moving has not yet established a compliance record. The Commission does, however, routinely grant mitigation for first-time violations and for companies in their first year of operation. Accordingly, we will exercise our discretion to reduce the penalty to \$75.

ORDER

THE COMMISSION ORDERS:

7 (1) Jette Moving, LLC's request for mitigation of the \$300 penalty is GRANTED in part, and the penalty is reduced to \$75.

8 (2) The \$75 penalty is due and payable no later than July 21, 2015.

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 9, 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.

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