

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of NEW HORIZONS MOVING LLC For Compliance with WAC 480-15	DOCKETS TV-201010 and TV-201011 <i>(Consolidated)</i>
In the Matter of the Penalty Assessment against NEW HORIZONS MOVING LLC in the amount of \$7,700	ORDER 02 GRANTING PAYMENT ARRANGEMENT

BACKGROUND

- 1 On January 14, 2021, the Washington Utilities and Transportation Commission (Commission) issued a Notice of Intent to Cancel and Notice of Brief Adjudicative Proceeding, Setting Time for Oral Statements in the Matter of the Investigation of New Horizons Moving LLC (New Horizons Moving or Company) for Compliance with Washington Administrative Code (WAC) 480-15 (Notice) in Docket TV-201010.
- 2 The Notice explained that Commission staff (Staff) conducted a compliance review of New Horizons Moving's operations in December 2020 and cited the Company for 114 violations of critical federal and state safety regulations, which resulted in a proposed unsatisfactory safety rating. Based on its review, Staff recommended the Commission cancel New Horizons Moving's household goods carrier permit unless the Company obtains Commission approval of a safety management plan. The Notice directed New Horizons Moving to file a proposed safety management plan by February 9, 2021. The Notice also set a brief adjudicative proceeding for February 23, 2021, at 1:30 p.m. to determine whether the Commission should cancel New Horizons Moving's household goods carrier permit.
- 3 On January 8, 2021, the Commission assessed a \$7,700 penalty (Penalty Assessment) against New Horizons Moving for the safety violations discovered during Staff's compliance review in Docket TV-201011.

- 4 On January 18, 2021, New Horizons Moving filed with the Commission a request for mitigation of the penalty in Docket TV-201011, admitting the violations and requesting that the penalty be reduced.
- 5 On February 2, 2021, Staff filed with the Commission its evaluation of the Company's proposed safety management plan. Staff indicated that the Company waived its right to a hearing in both dockets and requested the Commission cancel the brief adjudicative proceeding and decide this matter on a paper record.
- 6 On February 9, 2021, the Commission entered Order 01, Consolidating Dockets, Cancelling Brief Adjudicative Proceeding; Approving Safety Management Plan; Upgrading Safety Rating; Extending Provisional Period; Imposing and Suspending Penalties (Order 01). Order 01 assessed a reduced penalty of \$3,850 and suspended a \$2,000 portion of the penalty for two years, subject to the conditions that (1) New Horizons Moving maintain a conditional safety rating, (2) Staff conducts a follow-up investigation at least six months from the effective date of Order 01, (3) New Horizons Moving does not incur any repeat violations of acute or critical regulations upon reinspection, and (4) New Horizons Moving pay the \$1,850 portion of the penalty that is not suspended within 10 days of the effective date of Order 01.
- 7 On February 17, 2021, Staff contacted the Executive Director and Secretary of the Commission explaining that the Company requested to pay the penalty in three quarterly installments, and that Staff supports the request. The Company and Staff jointly propose the following payment schedule:

Installment	Due Date	Amount
1	May 12, 2021	\$500
2	August 12, 2021	\$500
3	November 12, 2021	\$850

- 8 Staff also proposes that if New Horizons Moving fails to pay any installment by the due date, the entire balance, including the suspended penalty, will become due and payable immediately.

DISCUSSION

- 9 The installment payment schedule Staff and the Company propose is reasonable. Accordingly, the Commission approves the proposal with one modification. New Horizons Moving may make additional payments in advance of the payment due dates or

pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make its timely monthly installment until the full amount of \$1,850 is satisfied.

ORDER

THE COMMISSION ORDERS THAT:

- 10 (1) The \$1,850 unsuspended portion of the penalty is due and payable to the Commission in installments as set out in paragraph 7, above.
- 11 (2) If New Horizons Moving LLC fails to pay any installment by 5 p.m. on the date it is due, the unpaid balance, as well as the \$2,000 suspended portion of the penalty, will immediately become due and payable without further order by the Commission.
- 12 The Secretary has been delegated authority to enter this order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Lacey, Washington, and effective February 24, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
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.