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MEMBER, WASHINGTON AND ALASKA BAR ASSOCIATIONS

August 11, 2000

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Washington Utilities
And Transportation Commission
1300 S. Evergreen Park Dr. S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Re: Docket No. TV-001209 Permit No. TCC-11877 Application No. PO78906

Dear Sir/Madam:

Enclosed are and original and four (4) copies of our Amended Motion for Modification in the above captioned matter. Please file the amended motion, and return one of the copies with a date stamp/filed notation. A stamped, self addressed envelope is enclosed for that purpose.

Sincerely yours,

TEPHEN D. CRAME

SDC/amb 99092 Enc.

28 AMENDED MOTION - 1

BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of:

)
Permit No. TCC-11187; Application No. PO78906

JOSEPH DEAN SMITH, d/b/a

JOE THE MOVER,

21716 - 84th Ave. S., Suite A

Kent, WA 98032

)
AMENDED MOTION FOR MODIFICATION

COMES NOW the Applicant, JOSEPH DEAN SMITH, d/b/a JOE THE MOVER, by and through his counsel of record, and in response to the Commission's 8/10/00 notice regarding the filing of an amended temporary certificate to correct a clerical error, amends its motion for modification of temporary permit as follows:

The applicant respectfully requests the Commission to modify the amended temporary permit to delete the phrase "use or employ" from line 1 of the second full paragraph of the amended temporary order. The remainder of the Applicant's original motion remains in full force and effect, and is incorporated be reference herein as the basis for this amended motion. The Applicant respectfully requests that this amended motion be processed in accordance with the Commission's 8/10/00 notification.

QATED this 11th day of August, 2000

KEPHEN D. CRAME

Attorney for Applicant

WSBA 9085

STEPHEN D. CRAMER, P.L.L.C. ATTORNEY AT LAW

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Docket

CORRECTED

Household goods in the state of Washington.

Subject to special conditions, the applicant must pay, or make arrangements to pay, Penalty Assessment No. 100030 in the amount of \$1000 within 15 days of the date of this order.

The applicant may not use or employ, or hire as an independent contractor, Jason Smith, d/b/a Jay the Mover, until the permanent injunction issued by the King County Superior Court against Jason Smith, d/b/a Jay the Mover is rescinded, or until Jason Smith, d/b/a Jay the Mover obtains permit authority from the Commission.

Expires: January 14, 2001

This permit has been issued under the provisions of RCW 81.80.170, WAC 480-15-280, and is subject to cancellation any time if the Commission determines that:

- a. This temporary authority was not issued in the public interest; or,
- b. Grant of authority was based on fraud, misrepresentation, or erroneous information from the applicant; or,
- c. The applicant violated applicable laws and rules affecting the public health, safety or welfare; or,
- d. The applicant repeatedly failed or refused to comply with applicable laws and rules pertaining to operations of household goods carriers; applicant failed to supply requested information to the Commission for the performance of its regulatory functions; or,
- e. When requested by the Commission Staff to submit information the applicant submitted false, inaccurate or misleading information; or,
- f. The applicant allowed others to transport household goods under the authority granted herein; or,
- g. The applicant failed to comply with provisions of the conditions named in the Order granting this permit or on the permit issued as a result of the Order.

NOTE: This application was previously docketed on July 24, 2000, and is redocketed as corrected. Protests may be made to the entire application, as redocketed, within 10 days after the publication of this docket.

A motion for modification of Temporary Permit No. TCC-11877 was received on August 14, 2000. In the motion the carrier requests the Commission to modify the condition regarding Jason Smith d/b/a Jay the Mover, as follows:

The applicant may not hire as an independent contractor Jason Smith d/b/a Jay the Mover until the permanent injunction by the King County Superior Court against Jason Smith d/b/a Jay the Mover is rescinded or until Jason Smith d/b/a Jay the Mover obtains permit authority from the Commission.

Comments regarding this request for modification will be accepted for fifteen (15) days following the date of this Docket.