

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

Regarding cancellation of Household Goods Permit No. THG-63200 and dismissal of Application TV-080054 in the name of:)
) DOCKET TV-080054
)
) NOTICE OF INTENT TO CANCEL
 V&K Delivery Services, LLC) TEMPORARY OPERATING
) AUTHORITY AND TO DENY
) APPLICATION FOR PERMANENT
) AUTHORITY

- 1 The Commission hereby notifies you of its intent to cancel temporary household goods permit THG-63200, issued in the name of V&K Delivery Services, LLC (V&K), and to deny the application for permanent authority. The reason for this action is that the application, and the Commission’s research, reveal that in 2003, Mr. Vladimir Kirichenko, the principal owner of V&K Delivery Services, LLC, was convicted of attempted residential burglary.

- 2 Mr. Kirichenko applied for a household goods permit on January 8, 2008, on behalf of V&K Delivery Services, LLC. On March 25, 2008, the Commission granted temporary permit THG-63200 for a period of at least six months while evaluating whether the applicant had met the criteria for obtaining permanent authority.

- 3 RCW 81.80.070(1)(a)(ii) requires the Commission to consider whether an applicant for a household goods carrier permit is fit to perform the services proposed. The Commission’s rules state that the Commission may cancel a temporary permit at any time if it finds that the carrier has been convicted of any crime,¹ and that the Commission may deny an application for permanent authority if the applicant has been convicted of any crime.²

- 4 The crime of which Mr. Kirichenko was convicted involves entering or remaining in a dwelling with intent to commit a crime against a person or property therein.³ Consumers using the services of a household goods moving company must entrust the security of their homes and their possessions to the carrier they select. As such, they have a reasonable right to expect that

¹ WAC 480-15-320.

² WAC 480-15-330.

³ RCW 9A.52.025 states:

(1) A person is guilty of residential burglary if, with intent to commit a crime against a person or property therein, the person enters or remains unlawfully in a dwelling other than a vehicle.

(2) Residential burglary is a class B felony. In establishing sentencing guidelines and disposition standards, the sentencing guidelines commission and the juvenile disposition standards commission shall consider residential burglary as a more serious offense than second degree burglary.

the mover they have selected does not have a recent history of violating the security of another's home. The Commission therefore intends to cancel your temporary authority and to deny your application for permanent authority.

- 5 **NOTICE OF OPPORTUNITY FOR HEARING.** You may request a hearing to contest the allegation that Mr. Kirichenko was convicted of the crime stated above, or to demonstrate any circumstances that mitigate the seriousness of the crime as a source of concern to your potential customers. If you wish to request a hearing to contest the cancellation of your temporary permit or the denial or your application for permanent authority, you must make a written request for a hearing with the Commission by September 22, 2008. An original and five (5) paper copies of the request must be directed to the attention of David W. Danner, Executive Director and Secretary of the Washington Utilities and Transportation Commission and must reference Docket TV-080054.
- 6 If you request a hearing, the Commission will schedule a brief adjudicative proceeding under RCW 34.05.482 and WAC 480-07-610. If you cannot materially rebut the facts concerning this revocation, or if you are unable to demonstrate circumstances mitigating the seriousness of Mr. Kirichenko's crime as a source of concern to your potential customers, the Commission will cancel your temporary permit and deny your application for permanent authority. If you do not request a hearing, your temporary authority will be cancelled and your application for permanent authority will be denied by further Commission order.

DATED at Olympia, Washington, and effective August 26, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER,
Executive Director and Secretary