

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment)	DOCKET TV-150918
Against)	
)	ORDER 01
MORRISON MOVING & STORAGE)	
CO., INC.)	ORDER GRANTING
)	MITIGATION TO \$500
in the amount of \$1,000)	
.....)	

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 Morrison Moving & Storage Co., Inc. (Morrison Moving or Company) filed an incomplete annual report on April 15, 2015, and had not made a complete filing by May 15. On May 29, the Commission assessed a penalty of \$1,000 against Morrison Moving, calculated as \$100 per business day from May 1 to May 15.
- 3 On June 9, 2015, Morrison Moving filed a complete annual report. On June 11, the Company responded to the Commission’s penalty assessment, admitting the violations and requesting mitigation based on the written information provided. The Company explained that it initially submitted its annual report with incorrect mileage information.
- 4 On June 24, 2015, Commission staff (Staff) filed a response recommending a penalty reduction to \$50 per day, or \$500. Although the Company received and paid a penalty for violations of WAC 480-15-480 in 2006, Staff supports a reduced penalty based on the Company’s recent history of compliance.

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 complete annual report was timely filed.

- 6 The Commission nevertheless agrees with Staff's recommendation. The Commission may consider a number of factors when entertaining a request for mitigation, including whether the violation was promptly corrected, a company's history of compliance, and the likelihood the violation will recur.¹ Here, Morrison Moving promptly corrected the deficiency when it was notified of its error. In addition, this is the Company's first violation of WAC 480-15-480 in nine years. Given the Company's recent history of compliance, the violations are not likely to recur. Accordingly, the Commission will exercise its discretion to reduce the penalty to \$500.

ORDER

THE COMMISSION ORDERS:

- 7 (1) Morrison Moving & Storage Co., Inc.'s request for mitigation of the \$1,000 penalty is GRANTED in part, and the penalty is reduced to \$500.
- 8 (2) The \$500 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).