

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Penalty Assessment Against
Bill's Transfer, Inc., in the amount of
\$100.00

DOCKET NO. TV-060415

DECLARATION OF
SHERI HOYT

SHERI HOYT, under penalty of perjury under the laws of the state of Washington, declares as follows:

1. I am over 18 years of age, a citizen of the United States, a resident of the state of Washington, and competent to be a witness.
2. I am employed by the Washington Utilities and Transportation Commission (Commission) as a Compliance Specialist in the Business Practices Investigations Section. I have been employed at the Commission for over 14 years, holding various positions. As a Compliance Specialist, my responsibilities include conducting investigations regarding the business practices of regulated utility or transportation companies. As part of those duties, I investigate household goods companies that may be operating in violation of Commission statute, rule, or tariff.
3. On June 6, 2006, Bill's Transfer, Inc. filed with the Commission an Application for Mitigation of Penalties (Mitigation Request) in Docket No. TV-060415. I have read the Mitigation Request.
4. This Mitigation Request arises from a Notice of Penalties Incurred and Due for Violations of Laws, Rules and Regulations issued by the Commission on May 31, 2006, in Docket No. TV-060415. In that Notice, the Commission issued a penalty of \$100.00 for a violation of WAC 480-15-390.
5. Before recommending the Commission issue penalties, as part of my job, I conducted an investigation of the Commission's records. My investigation resulted in an investigation report titled, "Staff Investigation." A true and accurate copy of that investigation report is attached to this declaration as Attachment A.
6. I identified the violation in this case from records maintained by the Commission.

Specific Issues Addressed by Bill's Transfer, Inc. in its Mitigation Request

The company asked the Commission to remove "Inc." after Universal Moving Systems.

7. In its Mitigation Request, Bill's Transfer, Inc. states there is a misunderstanding. It states the company does not intend to change its name to Universal Moving Systems Inc., but only asked the Commission to remove the "Inc." after the trade name Universal Moving Systems.
8. Neither "Universal Moving Systems" nor "Universal Moving Systems, Inc." is registered with the Commission as a trade name for Bill's Transfer, Inc. The name "Bill's Transfer, Inc." is listed on the company's permit. See Attachment D.
9. Commission records indicate Investigator Leon Macomber submitted an application for name change on behalf of Bill's Transfer, Inc. He provided Vince Wagner, owner of Bill's Transfer, Inc., the appropriate form on June 16, 2005, while at the company's place of business. Mr. Wagner filled out the application, and Mr. Macomber submitted it to the Commission on his behalf. See Attachment E.
10. Records reflect that the Commission's Licensing Services staff attempted many times to contact Mr. Wagner after determining that the company had not properly registered its trade name of "Universal Moving Systems" with the Department of Licensing. The company did not respond to several letters sent by staff requesting that the company register its trade name with DOL. Nor did the company respond to voicemail messages left by staff asking Bill's Transfer, Inc. to contact the Commission regarding the application for name change. Bill's Transfer, Inc.'s application for name change was dismissed in Docket Number TV-051153 on March 31, 2006. A copy of the name change application appears at Attachment F.

An outside printing company sent Bill's Transfer, Inc. a batch of envelopes with the company's name appearing as "Universal Moving Systems d/b/a: Bill's Transfer Inc."

11. Bill's Transfer, Inc.'s Request for Mitigation states an outside printing company sent it a batch of envelopes where the name Bill's Transfer and Universal Moving Systems were accidentally reversed. The company states it destroyed the envelopes many months ago.
12. The envelope received by the Commission in June 2005 indicates the company's name as, "UNIVERSAL MOVING SYSTEMS INC. D/B/A BILL'S TRANSFER INC." A true and accurate copy of that mailing envelope is attached to this declaration as Attachment B.
13. As part of my investigation, I conducted a search of online telephone directories. The online directory Dexonline.com revealed a listing for the company in the name of Universal Moving Systems, Inc. and Bill's Transfer. Both listings have the same street address, 2912 69th Avenue West, Tacoma, Washington 98466-7829, and phone

number, (253) 564-7000. True and accurate copies of the directory listings are attached to this declaration as Attachment C.

Bill's Transfer, Inc.'s attorney filed the articles of incorporation with the Secretary of State and told the company it could legally use the trade name Universal Moving Systems without filing any additional paperwork with the Department of Licensing.

14. As part of my investigation I reviewed many records, including those of the Secretary of State. The Corporations Division registration data search shows the company's name as Bill's Transfer, Inc. with no trade name appearing in the database.
15. The Department of Revenue's state business records database detail shows the company's registered legal entity name as Universal Moving Systems, Inc. doing business as Bills Transfer.
16. Because Bill's Transfer, Inc. has failed to properly register its trade name of Universal Moving Systems with the Commission, even after repeated technical assistance and attempted contacts by staff, staff does not support mitigation of the \$100 penalty.
17. However, staff is willing to forgive the penalty if the company will come into compliance with WAC 480-15-390 and properly register its trade name with the Commission.

DATED this 26th day of June, 2006 at Olympia, Washington.

Vicki Elliott
for SHERI HOYT

Attachment A

Bill's Transfer, Inc.
2912 69th Avenue West, Unit D-11
Tacoma, Washington 98466
HG-6605
UBI # 601-098-124

Staff Investigation

May 19, 2006

June 13, 2005

Bill's Transfer, Inc. (the company) submitted an application for mitigation of penalties assessed on April 11, 2005. The return address on the company's envelope indicated the company's name is Universal Moving Systems, Inc., D/B/A Bill's Transfer, Inc.

June 16, 2005

Investigator Leon Macomber performed a recheck Compliance Review on the company. Because he had found the company using the unregistered trade name of Universal Moving Systems, Inc.,¹ in his original Compliance Review on January 25, 2005, and at that time notified the company that it must file an application for name change, Mr. Macomber took with him to the recheck an application for address change. Mr. Macomber determined the company had not filed the appropriate paperwork for the trade name, so he gave the company's owner, Vince Wagner, the application and requested he fill it out.

June 21, 2005

Mr. Macomber gave Licensing Services staff a "Notification of Change of Address" for the company with a notation, "the only change is adding a d/b/a."

A search of Department of Revenue's (DOR) website using the company's UBI number revealed the company was registered with DOR as Universal Moving Systems, Inc. d/b/a Bill's Transfer. A search of Secretary of State's website revealed the UBI number registered with it is under the name of Bill's Transfer, Inc. There was no record of Universal Moving Systems registered as a corporation with Secretary of State.

A search using the online directory Dexonline.com revealed a listing for both Universal Moving Systems, Inc. and Bill's Transfer. The listings appeared in the categories of spas and hot tubs service and repair, moving companies, safe and vault dealers, piano and organ movers, and safe and vault movers.

A reverse search of the phone number for the company on file with the commission (253-564-7000) using AT&T's Anywho.com directory revealed the phone number belonged to Northwestern Automotive Service Equipment Company. A search of DOR and Secretary of State's websites did not reveal a company by that name registered with either agency.

July 15, 2005

Licensing Services staff sent the company a letter² with the proper paperwork and advised it to register the trade name with the Department of Licensing (DOL).

July 27, 2005

Licensing Services staff received the name change application from the company; however, a check of DOL's website revealed the d/b/a name was not yet registered with DOL.

¹ The trade name is on both sides of the company's moving truck.

² See Appendix A.

July 28, 2005

Licensing Services staff sent the company a second letter³ informing it the company's trade name needed to be registered with DOL.

September 21, 2005

Licensing Services staff left a message on the company's answering machine stating the company needed to register its trade name.

November 1, 2005

Licensing Services staff sent a third and final letter⁴ advising the company its name change application would be dismissed if the application was not satisfied within 30 days.

February 8, 2006

Licensing Services staff checked DOL's website and found the trade name had yet to be registered.

February 10, 2006

Licensing Services staff sent an e-mail to Business Practices and Leon Macomber informing both of the difficulty in getting the company to comply by properly registering its trade name.

March 31, 2006

The company's application for name change was dismissed under Docket Number TV-051153.

May 4, 2006

A search of DOL's website (which links to DOR's records) using the company's UBI number revealed the company is currently registered with it as:

Legal Entity: Universal Moving Systems, Inc.
Doing business as: Bills Transfer

A search of Secretary of State's website revealed UBI number 601-098-124 registered in the name of Bills Transfer, Inc⁵.

Findings

Staff believes Bill's Transfer, Inc., is operating under the trade name of Universal Moving Systems, Inc., as evidenced by the address appearing on company correspondence as well as company owned and operated equipment. Universal Moving Systems, Inc. is not a corporation registered with Secretary of State, nor is it a trade name registered with the Department of Licensing. Vince Wagner, owner of Bill's Transfer, Inc., has been given technical assistance regarding this matter several times; specifically on January 25, 2005, and June 16, 2005, by Leon Macomber and by Licensing Services staff, requesting that the trade name be registered with Department of Licensing and the paperwork be completed with the commission, on July 15, 2005, July 28, 2005, and November 1, 2005. Licensing Services staff also left a voicemail message for the company on September 21, 2005, requesting the company register its trade name.

³ See Appendix B.

⁴ See Appendix C.

⁵ See Appendix D for copies of Department of Revenue and Secretary of State registrations.

Recommendation

Staff recommends Bill's Transfer, Inc., be assessed a penalty of \$100 for violation of WAC 480.15.400, for advertising and operating under a trade name not registered with, or approved by, the commission.

Appendix A

FROM: Washington Utilities and Transportation Commission
Permits & Insurance
PO Box 47250 Phone: (360) 664-1222
Olympia, WA 98504-7250 Fax: (360) 586-1181

Date: 07-15-2005 Staff: Tina Leipski

HG006605
BILL'S TRANSFER, INC
2912 69TH AVE. W UNIT D-11
TACOMA, WA 98466

Return this document with the completed/corrected items listed below for prompt processing of your application.

- X Forms submitted are incomplete. Please complete items marked and return.
- X In order for us to add the trade name of "Universal Moving Systems", you will need to complete the paperwork I'm including and return to our office. This trade name will also need to be registered with the Department of Licensing under your UBI number. Any questions, let me know. Thanks! Tina

Appendix B

TV-051153

FROM: Washington Utilities and Transportation Commission
Transportation Operations
PO Box 47250 Phone: (360) 664-1222
Olympia, WA 98504-7250 Fax: (360) 586-1181

Date: 07-28-2005 Staff: Tina Leipski

P079391
BILL'S TRANSFER, INC
UNIVERSAL MOVING SYSTEMS
2912 69TH AVE. W UNIT D-11
TACOMA, WA 98466

Return this document with the completed/corrected items listed below for prompt processing of your application for operating authority.

- X Your Trade Name of Universal Moving Systems needs to be registered with the Department of Licensing under your UBI number. Please let me know when this is complete so I can process your application. Thanks!

9/21 left msg - need to register name

11/10 - left msg

12/20 left msg - need trade name

Appendix C

FROM: Washington Utilities and Transportation Commission
Transportation Operations
PO Box 47250 Phone: (360) 664-1222
Olympia, WA 98504-7250 Fax: (360) 586-1181

Date: 11-01-2005 Staff: Tina Leipski

P079391
BILL'S TRANSFER, INC
UNIVERSAL MOVING SYSTEMS
2912 69TH AVE. W UNIT D-11
TACOMA, WA 98466

Return this document with the completed/corrected items listed below for prompt processing of your application for operating authority.

- X FINAL NOTICE! Your application will be dismissed if the items requested in this letter are not satisfied within 30 days.
- X Your Trade Name of "Universal Moving Systems" is still not registered with the Department of Licensing under your UBI number. Please take care of this so we can continue to process your application. Any questions, give me a call at 360-664-1170. Thanks! Tina

2/8 trade name still not registered
2/10 sent email to BP & won

Appendix D

Corporations: Registration Detail

Page 1 of 2

Washington Secretary of State

Corporations Division - Registration Data Search

BILLS TRANSFER, INC.

UBI Number	601 098 124
Category	Regular Corporation
Profit/Nonprofit	Profit
Active/Inactive	Active
State of Incorporation	WA
Date of Incorporation	07/20/1988
License Expiration Date	07/31/2006

Registered Agent Information

Agent Name	PATRICIA L WAGNER
Address	2912 69TH AVE W UNIT D-11
City	TACOMA
State	WA
ZIP	98466

Special Address Information

Address
City
State
Zip

[« Return to Search List](#)

Disclaimer

Information in the Secretary of State's Online Corporations Database is updated Monday through Friday by 5:00 a.m. Pacific Standard Time (state holidays excluded). Neither the State of Washington nor any agency, officer, or employee of the State of Washington warrants the accuracy, reliability, or timeliness of any information in the Public Access System and shall not be liable for any losses caused by such reliance on the accuracy, reliability, or timeliness of such information. While every effort is made to ensure the accuracy of this information, portions may be incorrect or not current. Any person or entity who relies on information obtained from the System does so at his or her own risk.

You can find this information at: http://www.secstate.wa.gov/corps/search_detail.aspx?name=BILLS%20TRANSFER,%20INC.&ubl=601098124

http://www.secstate.wa.gov/print.aspx?url=http://www.secstate.wa.gov/corps/search_detail... 3/10/2006

**Washington State Department of Revenue
State Business Records Database Detail**

TAX REGISTRATION NUMBER: 601098124
UBI: 601098124
LEGAL ENTITY: UNIVERSAL MOVING SYSTEMS INC
DOING BUSINESS AS: BILLS TRANSFER

MAILING ADDRESS:

2912 69TH AVE W STE D11
UNIVERSITY PLACE, WA 98466-7829

BUSINESS LOCATION:

2912 69TH AVE W STE D11
UNIVERSITY PLACE, WA 98466-7829

OWNER TYPE: CORPORATION
ACCOUNT OPENED: 10/01/1988
ACCOUNT CLOSED: OPEN
NAICS CODE: 484230

03/10/2006 2:21 PM

FOR NON-COMMERCIAL USE ONLY

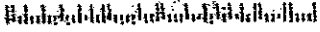
ATTACHMENT B

UNIVERSAL MOVING SYSTEMS INC.
D/B/A: BILL'S TRANSFER INC.
2912 69TH AVE. W. D-11
TACOMA, WA 98466



INCOMING 06/15/2005 01:38:22

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION
1300 S. EVERGREEN PARK DR. SW.
P.O. BOX 47250
OLYMPIA, WA. 98504-7250

98504-7250 

DexOnline.com: Yellow Pages - Online Phone Book



BUSINESS RESIDENTIAL GOVERNMENT ADVERTISE WITH DEX

Welcome! Please [Login](#) or [Register](#)
[Search tips](#) | [Registered user tools](#)

Search for: In: WA Include surrounding areas

Category Matches

Business name matches for: "bill s transfer" in Tacoma, WA and surrounding areas (2)

▶ Did you mean to search for [businesses offering bill s transfer?](#)

Sort Resu

0 A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

- MORE SEARCH OPTIONS**
- ▶ [Map a business](#)
 - ▶ [Get driving directions](#)
 - ▶ [Search by phone number](#)
 - ▶ [Search by address](#)
 - ▶ [Browse by category](#)
 - ▶ [Search toll-free numbers](#)

ALPHABETICAL RESULTS -ADV

Bill's Transfer 2912 69th Ave W Tacoma, WA 98466 - 7829 Map/Directions Add to Address Book	(253) 564-7000
Blif's Transfer Or Dial Toll Free 1 & Then Add to Address Book	(888) 377-6683

0 A B C D E F G H I J K L M N O P Q R S T U V W X Y Z



Cut Your Credit Card Payments up to 10%
Click Your Debt Amount & Start Saving Now
Less Than \$5k \$5,000 - \$14,999 \$15,000 - \$24,999 More Than \$25,000

BUSINESS RESIDENTIAL GOVERNMENT ADVERTISE WITH DEX

Welcome! Please [Login](#) or [Register](#)
[Search tips](#) | [Registered user tools](#)

Search for: In: WA Include surrounding areas

Category Matches

Business name matches for: "universal moving systems" in Tacoma, WA and surrounding areas (1)

▶ Did you mean to search for [businesses offering universal moving systems?](#)

0ABCDEFGHIJKLMN OPQRSTUVWXYZ

REFINE YOUR SEARCH

▶ **Categories**

[Real Estate, Moving, & Storage \(1\)](#)

ALPHABETICAL RESULTS

Universal Moving Systems Inc	(253) 564-7000
2912 69th Ave W Suite D11	
Tacoma, WA 98466 - 7829	
Map/Directions	
Add to Address Book	

- ADV

0ABCDEFGHIJKLMN OPQRSTUVWXYZ

MORE SEARCH OPTIONS

- ▶ [Map a business](#)
- ▶ [Get driving directions](#)
- ▶ [Search by phone number](#)
- ▶ [Search by address](#)
- ▶ [Browse by category](#)
- ▶ [Search toll-free numbers](#)

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

31736

For the Operation of Motor Propelled Vehicles

pursuant to the provisions of Chapter 81 RCW

THIS IS TO CERTIFY that authority is granted to operate as a MOTOR CARRIER in the transportation of the commodities and in the territory described herein to

BILL'S TRANSFER, INC
2912 69TH AVE. W UNIT D-11
TACOMA, WA 98466

HG006605

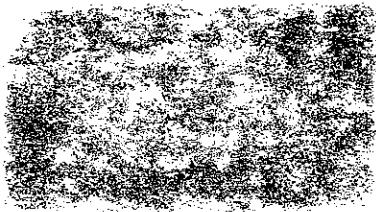
Household Goods in the State of Washington.

General Commodities (excluding hazardous materials and armored car service) in the State of Washington.

The above authority was formerly contained in permit number CC006605 and has been reissued under the provisions of WAC 480-15-195 effective January 15, 1999.

TV-971477

1/15/1999



SERVICE DATE

JAN 29 1999

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

By



Note: The only change is adding a d/b/a.

Notification of Change of Address

RECEIVED
DISTRIBUTION CENTER
2005 JUN 21 AM 8:48

To: Washington Utilities and Transportation Commission
Regulatory Services - Transportation Operations
P O Box 47250
Olympia, WA 98504-7250

STATE OF WASH.
WUTC

Pursuant to the provisions of WAC 480-15-110, I am notifying the Commission that the physical and/or mailing address for the company noted below has changed to that shown below:

Permit Number: HG/CC 6605 Temporary TCC-_____

Name of Company Bill's Transfer, Inc. d/b/a Universal Moving Systems

Correct Physical Address 2912 69th Ave. West Unit #D-11 Tacoma, WA 98466
Street or PO Box City State Zip Code

Correct Mailing Address (Same)
Street or PO Box City State Zip Code

Phone Number (253) 564-7000

Fax Number (253) 565-9437

E-mail address vdawg003@aol.com

Signature of company official submitting change: X Patricia L. Wagner

Title of company official submitting change: President

Date submitted: 6/20/05



**HOUSEHOLD GOODS CARRIER
PERMIT APPLICATION**



Type of Household Goods Authority Requested – Check one	Fee Required
<input type="checkbox"/> Emergency temporary authority (to meet an urgent need for up to thirty days) - Complete pages 1 - 5 and Attachment E	\$ 50
<input type="checkbox"/> Temporary authority (to meet a short-term need) – Complete pages 1 - 5 and Attachment A	\$ 250
<input type="checkbox"/> Permanent authority (at least six months must be served on a temporary provisional basis) – Complete pages 1 - 5 and Attachment A	\$ 550
<input type="checkbox"/> Permanent authority to transfer or acquire control resulting in a change in ownership or controlling interest (at least six months must be served on a temporary provisional basis) – Complete pages 1 - 5 and Attachment B	\$ 550
<input type="checkbox"/> Permanent authority to transfer or acquire control under the exceptions in WAC 480-15-260 – Complete pages 1 - 5 and Attachments B & C	\$ 250
<input type="checkbox"/> Reinstatement of permit (must be filed within 30 or 60 days of cancellation, depending on criteria set forth in WAC 480-15-460) – Complete pages 1 - 2 and include a statement justifying the reinstatement	\$ 250
<input type="checkbox"/> Name Change – Complete page 1 and Attachment D <i>Trade Name Change</i>	\$ 35
<input type="checkbox"/> Extension of authority – Complete pages 1 - 5 and Attachment A	\$ 550

TYPE OF PAYMENT

- Check
 Money Order
 Amex
 Discover
 Mastercard
 Visa

Expiration Date: _____ Amount: _____

CERTIFICATION: I, the undersigned, under penalty for false statement, certify that the following information is true and correct, that I am authorized to execute and file this document on behalf of the applicant, and that all information on file is current and valid.

Name (printed): Patricia L. Wagner Date: 7/25/2005

Signature: Patricia L. Wagner Title: CFO

FOR OFFICIAL USE ONLY

Date Filed: <u>7/21/05</u>	Application #: <u>11391</u>	Motcar: <u>31736</u>	Permit Issued: <u>HG-</u>
Staff Assigned: _____	Insurance: <u>OK</u>	Inspection: _____	DOL/SOS: _____
Reception #: <u>111-0268-207-02</u>	<u>35.00</u>	<u>111-0268-202-01</u>	<u>111-0268-013-20</u>

0000148

PAGE 1

TV-051538

ATTACHMENT D

**CHANGE OF CORPORATE/INDIVIDUAL NAME
(WAC 480-15-400)**

This application is for name change only and must not involve a change in ownership, management, or control of the household goods operating authority.

A company must file a name change application to:

- Change a corporation's name
- Change an individual's name
(may be sole proprietor or individual in a partnership)
- Change or add a trade name

NOTE: You **may not** advertise to operate under the changed name until a permit is issued in the new name.

Bill's Transfer, Inc. (Bill's Transfer Inc. is a registered Corporation with the State of Washington)
 Current Name on Permit

D/B/A: Universal Moving Systems, Inc. (Please remove the Inc. on Universal Moving Systems)
 Current Trade Name on Permit

2912 69th Avenue West, Unit D-11 Tacoma WA 98406
 Address

(253) 564-7000
 Phone Number

Fax Number

Email Address

If a corporation, list names, titles, stock distribution, or major stockholders under the current name:

I request the name on household goods permit HG- 006605 be changed to: =

Bill's Transfer, Inc. 601 098 124
 New Name UBI Number

D/B/A: Universal Moving Systems
 New Trade Name (if applicable)

Same Address As Above
 Address (if changed)

If a corporation, list names, titles, stock distribution, or major stockholders under the new name:

Patricia L. Wagner
Vince A. Wagner

I certify that this information is true and correct, that I am authorized to execute and file this document on behalf of the applicant, and that all information is current and valid.

Patricia L. Wagner 7/25/05 2912 69th Ave. West # D-11
 Signature & Title of Applicant Date & Location
Tacoma WA 98406

Revised 07/03