

[Service Date February 16, 2012]

February 16, 2012

**NOTICE REQUIRING BEST MOVING & DELIVERY TO STATE REASONS IN  
SUPPORT OF ITS APPLICATION FOR MITIGATION  
(Due by March 1, 2012)**

**NOTICE OF HEARING  
(Set for March 12, 2012, 1:30 p.m.)**

Re: *Ivan Ratko d/b/a Best Moving & Delivery, Request for Mitigation of Penalty  
Assessment, Docket TV-110977*

**TO ALL PARTIES:**

The Washington Utilities and Transportation Commission (Commission), on January 26, 2012, issued and served upon Ivan Ratko d/b/a Best Moving & Delivery (Best Moving), Penalty Assessment No. TV-110977, assessing penalties in the amount of \$500 in connection with five violations of WAC 480-15. On February 3, 2012, Best Moving filed with the Commission its request for hearing. Best Moving admits the violations for which penalties were assessed, but asks that the penalty amount be reduced. Best Moving, however, neither stated the specific reduction amount it believes would be appropriate nor provided any reason in support of its request.

Since Best Moving admits to the subject violations, the Commission believes this matter may be conducted as a brief adjudicative proceeding in accordance with RCW 34.05.482 -- .494 and WAC 480-07-610. These statutes and rules may be accessed via the Commission Internet web pages at [www.wutc.wa.gov](http://www.wutc.wa.gov) or parties may obtain copies of the rules by contacting the Commission's Records Center at (360) 664-1234.

The hearing of which the Commission gives notice here will focus on whether the company can show mitigating circumstances that might warrant a reduction in penalties. It would be inefficient to proceed to hearing without an understanding of the reasons the company asserts in support of its request for reduction of the penalties assessed.

Accordingly, the Commission requires that Best Moving file a statement of the reason(s) it believes support a reduction in the penalties assessed.

**THE COMMISSION GIVES NOTICE That Best Moving is required to file by March 1, 2012, a statement of the reasons it believes would justify a reduction in the penalties assessed in Penalty Assessment No. TV-110977. Best Moving must also identify the amount of reduction in penalties it believes is justified by the mitigating circumstances it intends to show. PLEASE NOTE: Failure to comply with this requirement will result in the cancellation of the adjudicative proceeding set forth below and the enforcement of the original amount of the assessment issued on January 26, 2012.**

**THE COMMISSION GIVES FURTHER NOTICE THAT it will conduct a brief adjudicative proceeding in this matter at 1:30 p.m., on Monday, March 12, 2012, in Room 108, First Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. Parties will be given the opportunity to make oral statements and may be asked to respond to questions. Any such testimony will be given under oath.**

Sincerely,

MARTIN LOVINGER  
Administrative Law Judge

**NOTICE**

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_

Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_