

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

In the Matter of the Penalty Assessment	)	DOCKET TV-111065
Against	)	
	)	
ACTION MOVING SERVICES, INC.	)	NOTICE OF BRIEF ADJUDICATIVE
	)	PROCEEDING
In the Amount of \$2,300	)	
	)	SETTING TIME FOR ORAL
	)	STATEMENTS
	)	<b>(Set for September 6, 2011, at 1:30</b>
	)	<b>p.m.)</b>
.....	)	

- 1 On July 15, 2011, the Washington Utilities and Transportation Commission (Commission) issued Penalty Assessment TV-111065 against Action Moving Services, Inc. (Action Moving) in the amount of \$2,300, alleging 23 violations of Washington Administrative Code (WAC) 480-15 and Tariff 15-C.
  
- 2 On July 28, 2011, Action Moving filed with the Commission a request for a mitigation hearing. Action Moving did not state a specific amount that it believes is appropriate for a reduced penalty nor did it provide any reason in support of its request.
  
- 3 On July 29, 2011, Action Moving provided an addendum stating that it has made progress through several audits and trainings conducted by the Commission. Action Moving further states that it intends to show this progress and express the company's goal of compliance at the hearing.
  
- 4 Pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission determines that a brief adjudicative proceeding is appropriate for determining whether the alleged violations of WAC 480-15 and Tariff 15-C occurred and, if so, whether the penalty should be mitigated and, finally, what actions may be necessary for Action Moving to maintain future compliance, pursuant to statutory provisions of RCW 81.04.

- 5 **THE COMMISSION GIVES NOTICE That it will hold a brief adjudicative proceeding in this matter at 1:30 p.m., on Tuesday, September 6, 2011, in Room 108, First Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 6 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.
- 7 Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide at its offices in Olympia, Washington, copies of documents in the current record for use by the parties or others who may want to review them.
- 8 Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission a list enumerating and describing any such documents **no later than 5:00 p.m. on Wednesday, August 31, 2011**, and bring an original and **three (3)** copies to the hearing. Filing shall be in accordance with WAC 480-07-140 and – 145.
- 9 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**
- 10 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250

Representative: Sally Brown  
Senior Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1193  
[sbrown@utc.wa.gov](mailto:sbrown@utc.wa.gov)

Respondent: J. Jeff Gish  
President and General Manager  
Action Moving Services, Inc.  
10115 Knox  
Spokane, WA 99206  
(509) 922-1500  
[jeffg@bekinsams.com](mailto:jeffg@bekinsams.com)

- 11 Administrative Law Judge Adam E. Torem, from the Commission's Administrative Law Division, will preside during this proceeding.
- 12 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective August 16, 2011.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER  
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary  
Washington State Utilities and  
Transportation Commission  
Richard Hemstad Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

**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 State 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.: (\_\_\_\_) \_\_\_\_\_