

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment)	DOCKET TV-112118
Against)	
)	ORDER 01
Access Gentle Moving Corp.,)	
)	ORDER GRANTING
in the amount of \$500.00.)	MITIGATION
.....)	

- 1 **Penalty.** On February 1, 2012, the Washington Utilities and Transportation Commission (Commission) assessed a penalty in the amount of \$500 against Access Gentle Moving Corp (Access Gentle Moving), for a violation of Washington Administrative Code (WAC) 480-15-630. This rule requires household goods carriers to provide written estimates to every customer and complete a cube sheet inventory prior to conducting a move. The Commission advised Access Gentle Moving that it was required to act within 15 days of receiving the notice either to pay the amount due, request a hearing to contest the alleged violation, or request mitigation to contest the amount of the penalty.

- 2 **Mitigation Request.** On February 22, 2012, Access Gentle Moving submitted a letter to the Commission admitting the violation but requesting payment arrangements for the \$500 penalty because business is slow and the company needs more time to pay.

- 3 **Commission Staff Conditional Support for Mitigation.** Commission Staff filed a Response to Access Gentle Moving’s request for mitigation on February 28, 2012. Commission Staff recommended that Access Gentle Moving be able to pay the fine in four equal monthly payments on the 15th of each month beginning with March 15, 2012, conditioned on Access Gentle Moving submitting in writing a compliance plan addressing each of the issues in the Commission Staff’s investigation report. This would include copies of revised, properly formatted estimate and bill of lading forms. Commission Staff requested that the compliance plan and revised forms be submitted by Friday, March 9, 2012.

- 4 **Commission Decision.** The Commission grants the request of Access Gentle Moving for mitigation following the recommendation of Commission Staff. This decision is based on the acknowledgment of Access Gentle Moving that it violated the law regarding written estimates and cube sheets. The Commission is setting compliance dates to ensure that Access Gentle Moving has adequate time to comply.
- 5 Access Gentle Moving Corp. must file a written compliance plan by March 30, 2012, including copies of its revised, properly formatted estimate and bill of lading forms.
- 6 The \$500 penalty may be paid in four (4) equal payments of \$125 each on or before April 16, 2012, May 15, 2012, June 15, 2012, and July 16, 2012.
- 7 Failure to comply in a timely way with any of the requirements set forth above will result in the \$500 penalty, or any portion that remains unpaid becoming immediately due and payable in full.
- 8 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 March 8, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. Under WAC 480-07-904(3), you may seek Commission review of this decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least 14 days a listing of all matters delegated to the Executive Secretary for decision under WAC 480-07-904(1). You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at

a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.