

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

In the Matter of the Petition of	)	DOCKET TV-080483
	)	
WASHINGTON MOVERS	)	ORDER 01
CONFERENCE OF THE	)	
WASHINGTON TRUCKING	)	GRANTING LEAVE TO
ASSOCIATION	)	WITHDRAW AND CANCELLING
	)	PREHEARING CONFERENCE
To Reinstate the Fuel Surcharge Tariff	)	
	)	<b>(Previously noticed for May 2, 2008)</b>
.....	)	

**MEMORANDUM**

- 1 On March 14, 2008, Washington Movers Conference of the Washington Trucking Associations (WMC), filed with the Washington Utilities and Transportation Commission (Commission) a petition to reinstate the household goods fuel surcharge tariff. WMC states its petition is based upon the sudden and continuing rapid escalation of the cost of diesel fuel.
- 2 The Commission set the WMC’s petition to reinstate the fuel surcharge methodology for hearing at its March 27, 2008, open meeting. The Commission issued a Notice of Hearing and Notice of Prehearing Conference on April 17, 2008. Upon such issuance, this matter became an adjudicative proceeding under RCW 34.05.413(5).
- 3 On April 23, 2008, WMC filed a letter stating its desire to withdraw its petition. Because this matter is an adjudicative proceeding, WMC must ask for leave to withdraw its petition. The Commission liberally construes filings to effect just results. *WAC 480-07-395(4)*. In this instance, the Commission will treat WMC’s letter as a motion seeking leave to withdraw.
- 4 On April 28, 2008, Commission Staff filed a letter supporting WMC’s motion.

**DISCUSSION AND DECISION**

- 5 The Commission relaxed economic regulation of the household goods industry in 2000. Entry was opened by implementing a permit system focused on compliance with Commission operating requirements, consumer protection, and safety and insurance, instead of the far more restrictive “public convenience and necessity” standards then in effect. Rate regulation was relaxed by establishing a band of maximum rates and charges (20 percent greater than rates then in effect) and minimum rates and charges (40 percent less than the maximum rates and charges).

- 6 The Commission sets rates and charges for the transportation of household goods statewide. RCW 81.80.150 requires the Commission to publish the tariff for the transportation of household goods.
- 7 WAC 480-15-490 (2)(b)(ii) required the Commission to adjust the maximum rates and charges each June 1, through 2005, using the first quarter Implicit Price Deflator (IPD) of the Gross Domestic Product. The last rate increase became effective June 1, 2005.
- 8 On August 17, 2007, the Commission approved a petition by the WMC to increase the maximum rates and charges contained in the current tariff by 25 percent, and cancel the two existing fuel surcharges, allowing carriers an additional margin to absorb short term changes in operating costs, such as fuel. The WMC's present request would reinstate the fuel surcharge method in effect prior to August 17, 2007.
- 9 The Commission set the WMC's petition to reinstate the fuel surcharge methodology for hearing at its March 27, 2008, open meeting, finding the carriers had provided no basis for reinstating the prior fuel surcharge methodology or financial data that would establish a basis for increasing the maximum rate band.
- 10 It appears WMC is not prepared in the context of this proceeding to present evidence to show there is a basis for reinstating the prior fuel surcharge methodology. The Commission accordingly finds good cause to grant WMC's request for leave to withdraw its petition. The petition should be deemed withdrawn.

**ORDER**

- 11 THE COMMISSION ORDERS that WMC's request for leave to withdraw its petition is granted and its petition is deemed withdrawn as of the date of this Order.

**NOTICE**

12 **THE COMMISSION GIVES NOTICE That the prehearing conference previously noticed in this matter for Friday, May 2, 2008, is cancelled.**

DATED at Olympia, Washington, and effective April 30, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS  
Administrative Law Judge