



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • www.utc.wa.gov

April 6, 2016

NOTICE DENYING REQUEST FOR HEARING

AND

NOTICE OF OPPORTUNITY TO RESPOND TO MITIGATION REQUEST
(By Wednesday, April 27, 2016, at 5:00 p.m.)

RE: *In the Matter of a Penalty Assessment Against Jorge Luna-Lopez d/b/a EDL Movers
in the Amount of \$4,400*
Docket TV-160202

TO ALL PARTIES:

On February 24, 2016, the Washington Utilities and Transportation Commission (Commission) assessed a penalty of \$4,400 (Penalty Assessment) against Jorge Luna-Lopez d/b/a EDL Movers (EDL Movers or Company) for 44 violations of Washington Administrative Code (WAC) 480-15-570, which adopts by reference 49 C.F.R. Part 391 related to driver qualifications and 49 C.F.R. Part 395 related to driver hours of service.

On March 9, 2016, EDL Movers filed a response to the Penalty Assessment admitting the violations and requesting a hearing (Mitigation Request). In its Mitigation Request, the Company explains that it has since corrected the violations cited in the Penalty Assessment. The Company did not provide any additional details or supporting documentation.

The Commission's Penalty Assessment advised the Company that a request for hearing will only be granted if material issues of law or fact require consideration of evidence and resolution in hearing. Because the Company admitted the violations and presented no new information, no issues of law or fact are in dispute. Accordingly, the Company's request for a hearing is denied.

We will, however, construe the Company's submission as a request for mitigation based solely on the written information provided and allow Commission staff (Staff) to respond. Staff must file any response and supporting documentation no later than Wednesday, April 27, 2016, by 5:00 p.m.

THE COMMISSION GIVES NOTICE That Commission Staff may file a response to Jorge Luna-Lopez d/b/a EDL Movers' mitigation request by 5:00 p.m. on Wednesday, April 27, 2016.

STEVEN V. KING
Executive Director and Secretary