

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper  
Carrier Classification of, and Complaint  
for Penalties Against:

PAUL JAMES ACKERMAN d/b/a  
MOVING MOVER;  
PAULTHEMOVER,

DOCKET TV-220493

ORDER 02

INITIAL ORDER APPROVING  
SETTLEMENT AGREEMENT

**BACKGROUND**

- 1 On June 28, 2023, the Washington Utilities and Transportation Commission (Commission) issued Order 01, Complaint and Order Instituting Special Proceeding (Complaint) against Paul James Ackerman d/b/a Moving Mover, PaulTheMover (PaulTheMover or Company). The Complaint alleges that PaulTheMover violated RCW 81.80.075(1) on at least two occasions by offering to transport household goods for compensation over the public highways of Washington State without first obtaining a permit authorizing it to engage in business as a household goods carrier. The Complaint seeks a penalty of up to \$5,000 for each alleged violation, and it noticed a brief adjudicatory proceeding for July 12, 2023.
- 2 On June 28, 2023, Commission staff (Staff) filed a Settlement Agreement (Settlement Agreement) and a waiver of hearing on behalf of Staff and PaultheMover. This is a full settlement joined by all parties. As part of the Settlement Agreement, PaulTheMover agrees to a total penalty of \$5,000, of which \$4,500 is suspended subject to the condition that the Company does not operate as a households goods carrier without authority from the Commission. PaulTheMover agrees to pay the remaining \$500 of the penalty within 14 days of the Commission's approval of the Settlement Agreement. The Settlement Agreement further provides that it does not have any precedential effect on other proceedings.
- 3 Bridgit Fesser, Assistant Director, Lacey, Washington, represents Staff. Paul James Ackerman, Owner, represents PaulTheMover.

### DISCUSSION AND DECISION

4 WAC 480-07-750(1) states in part: “The commission will approve settlements when doing so is lawful, the settlement terms are supported by an appropriate record, and when the result is consistent with the public interest in light of all the information available to the commission.” The Commission must determine one of three possible results:

- Approve the proposed settlement without condition.
- Approve the proposed settlement subject to conditions.
- Reject the proposed settlement.

5 We approve the Settlement Agreement without condition. PaulTheMover agrees to pay the \$500 within 14 days of the Commission’s approval of the Settlement Agreement, with the remaining \$4,500 of the penalty suspended subject to the condition that the Company refrains from providing household goods moving services without the requirement authority. We find this to be reasonable. The Commission “will deal more harshly with companies that have a history of non-compliance, repeated violations of the same or other regulations, and previous penalties.”<sup>1</sup> Although PaulTheMover admits violating RCW 81.80.075(1) on two occasions, the Company does not have a history of non-compliance. The Settlement Agreement appropriately incentivizes compliance with regulation, rather than assessing harsh penalties for a first-time offense.

6 The terms of the Settlement Agreement are not contrary to law or public policy and reasonably resolve all issues in this proceeding. The Settlement Agreement supports the Commission’s goal of obtaining compliance with safety regulations by assessing the aforementioned penalty, and it provides the Company a path to move forward by disclaiming any precedential effect on other proceedings. Given these factors, we find the Settlement Agreement is consistent with the public interest and should be approved as filed.

### ORDER

#### THE COMMISSION ORDERS THAT:

- 7 (1) The Commission approves the Settlement Agreement between Paul James Ackerman d/b/a Moving Mover, PaulTheMover and Commission Staff, without

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<sup>1</sup> Docket A-120061, Enforcement Policy for the Washington Utilities and Transportation Commission ¶ 15 (January 7, 2013).

condition, which is attached as Exhibit A to, and incorporated into, this Order, and is adopted as the final resolution of the disputed issues in this docket.

- 8 (2) The Commission imposes a \$5,000 penalty in this docket, of which \$4,500 is suspended subject to the condition identified in the Settlement Agreement. Paul James Ackerman d/b/a Moving Mover, PaulTheMover must pay the remaining \$500 of the penalty that is not suspended within 14 days of the entry of this Order.
- 9 (3) If Paul James Ackerman d/b/a Moving Mover, PaulTheMover fails to pay the \$500 portion of the penalty within 14 days of the entry of this Order, then the entire unpaid balance, including the \$4,500 suspended amount of the penalty, will become due and payable the following business day without further order by the Commission.

DATED at Lacey, Washington, and effective August 15, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Michael Howard*  
MICHAEL HOWARD  
Administrative Law Judge

**NOTICE TO PARTIES**

This is an Initial Order. The action proposed in this Initial Order is not yet effective. If you disagree with this Initial Order and want the Commission to consider your comments, you must take specific action within the time limits outlined below. If you agree with this Initial Order and you would like the Order to become final before the time limits expire, you may send a letter to the Commission waiving your right to petition for administrative review.

WAC 480-07-825(2)(a) provides that any party to this proceeding has 20 days after the entry of this initial order to file a petition for administrative review (Petition). Section (2)(b) of the rule identifies what you must include in any Petition as well as other requirements for a Petition. WAC 480-07-825(2)(c) states that any party may file a response to a Petition within 10 days after service of the Petition.

WAC 480-07-830 provides that before the Commission enters a final order any party may file a petition to reopen a contested proceeding to permit receipt of evidence that is essential to a decision, but unavailable and not reasonably discoverable at the time of hearing, or for other good and sufficient cause. The Commission will give other parties in the proceeding an opportunity to respond to a motion to reopen the record, unless the Commission determines that it can rule on the motion without hearing from the other parties.

RCW 80.01.060(3) provides that an Initial Order will become final without further Commission action if no party seeks administrative review of the Initial Order and if the Commission does not exercise administrative review on its own motion.

Any Petition or response must be electronically filed through the Commission's web portal, as required by WAC 480-07-140(5).