

5 To avoid unnecessary duplication in the record of this docket, the Commission designates the discussion in this Order, including Appendix A, as its concise explanatory statement, supplemented where not inconsistent by the staff memoranda preceding the filing of the CR-105 proposal and the adoption order. Together, these documents provide a complete but concise explanation of the agency actions and its reasons for taking those actions.

6 **REFERENCE TO AFFECTED RULES:** This Order amends the following sections of the Washington Administrative Code:

WAC 480-15-020, Definitions.

WAC 480-15-145, Enforcement.

WAC 480-15-180, Carrier operations that require a household goods permit.

WAC 480-15-450, Involuntary cancellation of a permit.

WAC 480-15-610, Advertising.

7 **PREPROPOSAL STATEMENT OF INQUIRY AND ACTIONS**

THEREUNDER: A preproposal statement of inquiry is not required under RCW 34.05.353, "Expedited rule making."

8 **NOTICE OF EXPEDITED RULEMAKING:** The Commission filed an Expedited Rulemaking (CR-105) on September 23, 2009, at WSR # 09-19-143. The statement advised interested persons that the Commission was considering a rulemaking to amend language in rules relating to household goods carrier permits and advertisement to implement the provisions in the 2009 Legislature's House Bill 1536. The Commission also informed persons of this matter by providing notice of the subject and the CR-105 to everyone on the Commission's list of persons requesting such information pursuant to RCW 34.05.320(3), the Commission's list of all household goods companies operating in the state, persons interested in household goods issues, as well as attorneys representing the industry, and by posting all information on the Commission's web site.

9 **WRITTEN COMMENTS:** The Commission received written comments from Angela Chiders of Able Moving, Inc., and from Jim Tutton of the Washington Trucking Association. Able Moving, Inc., initially had an objection to the rulemaking, but later withdrew its objection on November 23, 2009. The Washington Trucking Association wrote in favor of the rules. There are no outstanding objections to the rules.

10 **COMMISSION ACTION:** After considering all of the information regarding this proposal, the Commission finds and concludes that it should amend the rules as proposed in the CR-105 at WSR # 09-19-143.

11 **STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE:** After reviewing the entire record, the Commission determines that WAC 480-15-020, WAC 480-15-145, WAC 480-15-180, WAC 480-15-450, and WAC 480-15-610 should be amended to read as set forth in Appendix A, as a rule of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380(2) on the thirty-first day after filing with the Code Reviser.

ORDER

12 **THE COMMISSION ORDERS:**

13 The Commission amends WAC 480-15-020, WAC 480-15-145, WAC 480-15-180, WAC 480-15-450, and WAC 480-15-610 to read as set forth in the CR-105 at WSR # 09-19-143, to take effect on the thirty-first day after the date of filing with the Code Reviser pursuant to RCW 34.05.380(2).

14 This Order and the rules set out in Appendix A, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the Code Reviser for filing pursuant to RCW 80.01, RCW 34.05 and WAC 1-21.

DATED at Olympia, Washington, December 2, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION



JEFFREY D. GOLTZ, Chairman



PATRICK J. OSHIE, Commissioner



PHILIP B. JONES, Commissioner

Note: The following is added at Code Reviser request for statistical purposes:

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 5, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Appendix A