

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of	)	DOCKET TV-150038
)	
WINN, RONALD d/b/a EAGLE	)	ORDER 02
MOVING LLC)	
	)	NOTICE OF INTENT TO DENY
for a permit to operate as a motor	)	APPLICATION FOR PERMANENT
carrier of household goods.	)	AUTHORITY;
)	
	)	NOTICE OF OPPORTUNITY FOR
	)	HEARING;
)	
	)	ORDER SUSPENDING TEMPORARY
.....	)	AUTHORITY

INTRODUCTION

- 1 **Nature of Proceeding.** The Washington Utilities and Transportation Commission (Commission) hereby orders that Eagle Moving LLC (Eagle Moving or Applicant) temporary authority to provide household goods moving services on a provisional basis is suspended, effective the date of this order. The Commission also hereby provides notice of its intention to deny Eagle Moving’s application for permanent authority for failure to meet the application requirements in RCW 81.80 and WAC 480-15.
- 2 **Procedural Background.** On January 5, 2015, Eagle Moving filed with the Commission an application requesting authority to operate as a household goods carrier in the state of Washington under RCW 81.80 and WAC 480-15. The stated owner of the company, Ronald Winn, signed the application. On January 13, 2015, in Order 01 of this docket, the Commission granted Eagle Moving temporary authority to provide household goods moving services subject to conditions.
- 3 Commission Staff has reviewed the application for Eagle Moving, Docket TV-150159 regarding AA Eagle Moving operations as a non-permitted carrier, and Docket TV-120721 regarding AA Eagle Moving’s original permit application. Commission Staff has recommended that Eagle Moving’s temporary household goods permit be suspended, for reasons set forth below.

4 Commission Staff has also recommended that the Commission deny the Applicant's permit, for reasons set forth below.

APPLICABLE LAW

5 RCW 81.80.070(1)(a)(ii) requires the Commission to consider whether an applicant for a household goods carrier permit is fit to perform the services proposed and conform to the requirements, rules and regulations of the Commission, and whether the operations are consistent with the public interest.

6 The Commission may suspend a permit without the carrier's authorization for good cause.¹ Good cause includes, but is not limited to, failing or refusing to comply with applicable laws and commission rules pertaining to operations of household goods carriers or allowing others to transport goods under the carrier's permit authority.

7 The Commission will grant or deny an application for permanent authority after it conducts a complete review of the application, including supporting statements, reports or other information necessary to determine fitness, public interest, and current or future public convenience and necessity.²

8 The Commission rules provide that the Commission may reject or deny an application for permanent authority if the Commission believes the applicant is unfit, or if issuing the permit is not in the public interest. WAC 480-15-305 sets out specific factors the Commission may consider, which include:

- The applicant has failed to meet all other commission regulatory requirements.³
- Other circumstances exist that cause the Commission to believe issuing the permit is not in the public interest.⁴
- If an employee has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale, or distribution of a controlled substance more than five years prior to the date of the application and the commission determines that the nature or extent of the crime(s) will likely interfere with the proper operation of a household goods moving company.⁵

¹ WAC 480-15-430(1).

² WAC 480-15-305.

³ WAC 480-15-305(1)(h)

⁴ WAC 480-15-305(1)(j).

⁵ WAC 480-15-305(2).

- 9 If it is necessary to resolve outstanding issues or concerns related to fitness or the public interest, or any other issue resulting from a complaint or public comment, the Commission may hold a hearing or brief adjudicative proceeding on any application for permanent authority.⁶

FACTUAL ALLEGATIONS

- 10 Commission Staff makes the following factual allegations based on its review and investigation of the application, as well as Docket TV-150159 regarding AA Eagle Moving operating as a non-permitted carrier, and Docket TV-120721 regarding AA Eagle Moving's original permit application.
- 11 On May 3, 2012, Commission Staff contacted Ivan Ingram regarding his advertisements for a moving company, AA Eagle Relocation Service. According to Commission Staff, Mr. Ingram did not have a Commission-issued household goods permit. In Staff's documentation, it was noted that Mr. Ingram advertised his company, AA Eagle Relocation Services, under the telephone number, (360) 551-8883, the email address, eaglemoving@rocketmail.com, and had a company website, aaeaglemoving.com.
- 12 On May 21, 2012, Commission Staff received a household goods permit application from AA Eagle Relocation Service, owned by Ivan Ingram. On December 21, 2012, the Commission entered Order 01 denying the permit application due to Mr. Ingram's extensive criminal history, including felony convictions for theft, burglary, and identity theft. The order was finalized on January 11, 2013.
- 13 In September 2014, Commission Staff received information from a permitted carrier about an alleged non-permitted carrier including a telephone number, (360) 551-8883, and a website, www.aaeaglemoving.com. On September 22, 2014, Commission Staff contacted the company through an email address provided on the website, eaglemoving@rocketmail.com, and requested a move. A man who identified himself as "Ivan" responded on September 22, 2014, and offered to move Commission Staff for \$85 an hour plus a \$40 flat rate and \$1.80 per mile for two men and a truck.
- 14 On January 5, 2015, Eagle Moving applied for a household goods permit from the Commission. The listed owner is Ronald Winn. The company listed its telephone number as (360) 813-1196, and its email address as jwinn@comscore.com.

⁶ WAC 480-15-350.

- 15 On January 21, 2015, Commission Staff emailed eaglemoving@rocketmail.com again and requested an estimate for a move. Once again, a man who identified himself as “Ivan” responded on January 21, 2015, and offered to move Commission Staff for \$85 an hour plus a \$40 flat rate and \$1.80 per mile for two men and a truck.
- 16 A reverse telephone records search for (360) 551-8883 on westlaw.com produced a listing for Ivan A. Ingram in Bremerton, WA.
- 17 A search of Washington Department of Revenue’s Business Licensing Services for “Ivan Ingram” produced a business license for AA Eagle Relocation Services registered to Mr. Ingram. The search for “Ivan Ingram” also produced a business license for “Eagle’s 2nd Hand LLC” located in Bremerton and governed by Ronald Winn and Ivan Ingram.
- 18 On March 24, 2015, an Administrative Law Judge ordered Mr. Ingram to immediately cease non-permitted household goods operations in docket TV-150159. In addition, Mr. Ingram was ordered to pay a \$5,000 fine, with \$4,750 suspended on the condition that Mr. Ingram stop operating AA Eagle Moving, without a household goods permit. The order was finalized on April 13, 2015.
- 19 On March 30, 2015, advertisements for Eagle Moving were found on facebook.com, yelp.com, and angieslist.com that list the company’s telephone number as (360) 551-8883 and its website as www.aaeaglemoving.com. In addition, as recently as March 14, 2015, the company posted pictures of its truck on the company’s facebook.com page. The pictures of the company’s truck show the company’s telephone number as (360) 551-8883. On June 16, 2015, commission staff confirmed that the advertisements for Eagle Moving on facebook.com and yelp.com continued to list the company’s telephone number as (360) 551-8883. The company did update its angielist.com advertisement to reflect a new company website, eaglemoving.biz, and a new phone number, (360) 813-1196. Additionally, on facebook.com, the company posted a job listing on June 5, 2015, for a new employee and requested that applicants contact “Ivan” at (360) 551-8883.
- 20 These allegations support factual findings that Mr. Winn is allowing Mr. Ingram to operate under his household goods permit. In alternative, these allegations support factual findings that Mr. Winn has employed an employee, Mr. Ingram, who has been convicted of crimes involving theft, burglary, and identity theft. Mr. Ingram’s prior convictions will likely interfere with the proper operation of a household goods moving company as Mr. Ingram’s telephone number is the main point of contact for the company and Mr. Ingram has an integral role in the business. Such factual findings support the suspension of the applicant’s temporary permit.

- 21 Moreover, these allegations, if not satisfactorily rebutted, support factual findings that Mr. Winn has not complied with commission regulatory requirements. Such factual findings, in turn, support the conclusion that issuing the permit is not in the public interest, and the application should be denied.

NOTICE OF OPPORTUNITY FOR HEARING

- 22 The Commission intends to deny Eagle Moving LLC's application for permanent authority. Eagle Moving LLC may request a hearing to contest the factual allegations set out in this notice with respect to the Commission's intent to deny its application and the suspension of its temporary permit. Eagle Moving LLC may request such a hearing by filing a written request for a hearing with the Commission by **August 3, 2015**. An original and five (5) paper copies of the request must be directed to the attention of Steven V. King, Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, and must reference Docket TV-150038.
- 23 If Eagle Moving LLC requests a hearing by **August 3, 2015**, the Commission will schedule a brief adjudicative proceeding under RCW 34.05.482 and WAC 480-07-610 at the earliest possible date. If Eagle Moving LLC does not request a hearing by that date, the Commission will enter an order rejecting the application for permanent authority.

ORDER

THE COMMISSION ORDERS:

- 24 (1) The household goods permit and provisional operating authority held by Eagle Moving LLC is suspended, effective the date of this order, pending further action by the Commission.
- 25 (2) Eagle Moving LLC is directed to **cease** all operations associated with permit THG-65708.

DATED at Olympia, Washington, and effective July 20, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary