

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment
Against

WHIDBEY LOGISTICS LLC d/b/a
WHIDBEY MOVING AND STORAGE

in the amount of \$6,800

DOCKET TV-190111

ORDER 02

GRANTING PAYMENT ARRANGEMENT

BACKGROUND

- 1 On April 10, 2019, the Washington Utilities and Transportation Commission (Commission) assessed a \$6,800 penalty (Penalty Assessment) against Whidbey Logistics LLC d/b/a Whidbey Moving and Storage (Whidbey Moving or Company) for violations of Washington Administrative Code (WAC) 480-15-555, WAC 480-15-560, and WAC 480-15-570, which adopt by reference sections of Title 49 Code of Federal Regulations (C.F.R.).
- 2 On April 22, 2019, the Company responded to the Penalty Assessment, admitting the violations and requesting mitigation of the penalty based on the written information provided.
- 3 On May 17, 2019, the Commission entered Order 01, Granting Mitigation, in Part, Imposing and Suspending Penalty (Order 01). Order 01 imposed a reduced penalty of \$3,550, a \$1,775 of which was suspended for a period of two years, subject to the following conditions: (1) Whidbey Moving must either pay the \$1,775 portion of the penalty that is not suspended or file jointly with Staff a proposed payment arrangement within 10 days of the effective date of the Order; and (2) Whidbey Moving may not incur any repeat violations of critical regulations.
- 4 On May 29, 2019, Commission staff (Staff) filed a letter with the Commission explaining that the Company requested to pay the penalty in 12 monthly installments, and that Staff supports the request. The Company and Staff jointly propose the following payment schedule:

Installment	Due Date	Amount
1	June 6, 2019	\$150
2	July 8, 2019	\$150

3	August 6, 2019	\$150
4	September 6, 2019	\$150
5	October 7, 2019	\$150
6	November 6, 2019	\$150
7	December 6, 2019	\$150
8	January 6, 2020	\$150
9	February 6, 2020	\$150
10	March 6, 2020	\$150
11	April 6, 2020	\$150
12	May 6, 2020	\$125

5 Staff also proposes that if Whidbey Moving misses one payment, the entire balance will become due and payable immediately.

DISCUSSION

6 The installment payment schedule Staff and the Company propose is reasonable. The Commission approves the proposal with one modification. Whidbey Moving may make additional payments in advance of the payment due dates or pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make timely monthly installments until the full amount of \$1,775 is satisfied.

ORDER

THE COMMISSION ORDERS THAT:

- 7 (1) The \$1,775 penalty is due and payable to the Commission in installments as set out in paragraph 4, above.
- 8 (2) If Whidbey Logistics LLC d/b/a Whidbey Moving and Storage fails to pay any installment by 5 p.m. on the date it is due, the unpaid balance, as well as the \$1,775 suspended portion of the penalty, will immediately become due and payable without further order by the Commission.
- 9 (3) Whidbey Logistics LLC d/b/a Whidbey Moving and Storage may make additional payments in advance of the payment due dates or pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make timely monthly installments until the full amount is satisfied.

10 The Secretary has been delegated authority to enter this order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Olympia, Washington, and effective June 4, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.