

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment Against	DOCKET TV-170293
CAN'T STOP MOVING, LLC	ORDER 02
in the amount of \$51,900	ORDER GRANTING PAYMENT ARRANGEMENT

**BACKGROUND**

- 1 On May 1, 2017, the Washington Utilities and Transportation Commission (Commission) assessed a \$51,900 penalty (Penalty Assessment) against Can't Stop Moving, LLC (Can't Stop Moving or Company) for 529 critical violations of Washington Administrative Code (WAC) 480-15-555, Criminal Background Checks for Prospective Employees, and WAC 480-15-570, which adopts by reference Title 49 Code of Federal Regulations (C.F.R.) Part 391 related to driver qualifications; Part 392 related to driving commercial motor vehicles; Part 395 related to driver hours of service; and Part 396 related to vehicle inspection, repair, and maintenance.
- 2 On June 1, 2017, Can't Stop Moving responded to the Penalty Assessment admitting the violations and requesting a hearing to present evidence supporting its request for mitigation of the penalty.
- 3 On June 19, 2017, the Commission entered Order 01, Order Denying Request for Hearing; Granting Mitigation; Imposing and Suspending Penalties. Order 01 assessed a reduced penalty of \$25,400, suspended a \$15,400 portion of penalty for a period of two years subject to conditions, and directed the Company to either pay the penalty or file jointly with Commission staff (Staff) a proposed payment arrangement within 20 days.
- 4 On June 30, 2017, Staff contacted the Executive Director and Secretary of the Commission explaining that the Company requested to pay the penalty in 20 monthly installments, and that Staff supports the request. The Company and Staff jointly propose the following payment schedule:

July 17, 2017	\$500
August 15, 2017	\$500

September 15, 2017	\$500
October 16, 2017	\$500
November 15, 2017	\$500
December 15, 2017	\$500
January 15, 2018	\$500
February 15, 2018	\$500
March 15, 2018	\$500
April 16, 2018	\$500
May 15, 2018	\$500
June 15, 2018	\$500
July 16, 2018	\$500
August 15, 2018	\$500
September 17, 2018	\$500
October 15, 2018	\$500
November 15, 2018	\$500
December 17, 2018	\$500
January 15, 2019	\$500
February 15, 2019	\$500

- 5 Staff also proposes that if Can't Stop 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 two modifications. First, Can't Stop 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 of \$500 until the full amount of \$10,000 is satisfied. Second, if Can't Stop Moving fails to pay the penalty by the date it becomes due in full – either immediately upon a missed installment, or February 15, 2019, whichever applies – the \$15,400 suspended portion of the penalty will immediately become due and payable and the Commission may cancel the Company's household goods permit.

**ORDER**

THE COMMISSION ORDERS THAT:

- 7 (1) The \$10,000 penalty is due and payable to the Commission in installments as set out in paragraph 4, above.
- 8 (2) If Can't Stop Moving, LLC fails to pay any installment by 5 p.m. on the date it is due, both the unpaid balance and the \$15,400 suspended portion of the penalty will immediately become due and payable without further order by the Commission.
- 9 (3) If Can't Stop Moving, LLC fails to pay any portion of the assessed penalty by the due date, the Commission may cancel the Company's household goods permit by order in this docket.
- 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 July 5, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING  
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.**