

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

<p>In the Matter of the Investigation of</p> <p>KASTL EXPRESS LLC, For Compliance with WAC 480-15-555, WAC 480-15-560, and WAC 480-15-570</p>	<p>DOCKETS TV-210939 and TV-210939 (Consolidated)</p> <p>ORDER 02</p>
<p>In the Matter of the Penalty Assessment against</p> <p>KASTL EXPRESS LLC in the amount of \$3,850</p>	<p>GRANTING PAYMENT ARRANGEMENT</p>

BACKGROUND

- 1 On December 16, 2021, the Washington Utilities and Transportation Commission (Commission) issued a Notice of Intent to Cancel and Notice of Brief Adjudicative Proceeding, Setting Time for Oral Statements in the Matter of the Investigation of Kastl Express LLC (Kastl Express or Company) for violations of Washington Administrative Code (WAC) 480-15-555, WAC 480-15-560, and WAC 480-15-570 (Notice).
- 2 The Notice explained that Commission staff (Staff) conducted a compliance review of Kastl Express’s operations between October and November 2021 and cited the Company for 83 violations of federal and state safety regulations, including 19 critical or critical-type violations, resulting in a proposed conditional safety rating. Based on its review, Staff recommended the Commission cancel Kastl Express’s household goods carrier permit unless the Company obtained Commission approval of a safety management plan.
- 3 On December 28, 2021, the Commission assessed a \$7,700 penalty (Penalty Assessment) in Docket TV-210940 against Kastl Express for the safety violations discovered during Staff’s compliance review.
- 4 On January 25, 2022, the Commission entered Order 01, Consolidating Dockets; Approving Safety Management Plan; Upgrading Safety Rating to Conditional and Extending Provisional Period; Imposing and Suspending Penalties (Order 01). Order 01 assessed a reduced penalty of \$3,850 and suspended a \$2,000 portion of the penalty for two years, at which point the Commission will waive it, subject to the conditions that (1) Kastl Express maintains a conditional safety rating, (2) Staff conducts a follow-up investigation at least six months from the effective date of Order 01, (3) Kastl Express

does not incur any repeat violations of acute or critical regulations upon reinspection, and (4) Kastl Express pays the \$1,850 portion of the penalty that is not suspended within 10 days of the effective date of Order 01 or files jointly with Staff a proposed payment plan.

- 5 On February 1, 2022, Staff filed a letter in this docket informing the Commission that the Company requests to pay the penalty in 9 monthly installments, and that Staff supports the request. The Company and Staff jointly propose the following payment schedule:

Installment	Due Date	Amount
1	February 15, 2022	\$250
2	March 15, 2022	\$200
3	April 15, 2022	\$200
4	May 16, 2022	\$200
5	June 15, 2022	\$200
6	July 15, 2022	\$200
7	August 15, 2022	\$200
8	September 15, 2022	\$200
9	October 17, 2022	\$200

- 6 Staff also proposes that if Kastl Express fails to pay any installment by the due date, the entire balance, including the suspended penalty, will become due and payable immediately.

DISCUSSION

- 7 The installment payment schedule Staff and the Company propose is reasonable. Accordingly, the Commission approves the proposal with one modification. Kastl Express 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 its timely monthly installment until the full amount of \$1,850 is satisfied.

ORDER

THE COMMISSION ORDERS THAT:

- 8 (1) The \$1,850 unsuspended portion of the penalty is due and payable to the Commission in installments as set out in paragraph 5, above.
- 9 (2) If Kastl Express LLC fails to pay any installment by 5 p.m. on the date it is due, the unpaid balance, as well as the \$2,000 suspended portion of the penalty, will immediately become due and payable without further order by the Commission.

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 Lacey, Washington, and effective February 8, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL
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.