

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of JOHN F. TUTTLE, D/B/A ALTO MOVING, For Compliance with WAC 480-15-555, WAC 480-15-560, WAC 480-15-570, and WAC 480-15-590	DOCKETS TV-200774, TV-200775 <i>(Consolidated)</i> ORDER 02
In the Matter of the Penalty Assessment Against ALTO MOVING LLC, In the amount of \$4,700	DOCKET TV-230215 ORDER 02 GRANTING PAYMENT ARRANGEMENT

BACKGROUND

- 1 On October 22, 2020, the Commission entered Order 01, Order Consolidating Dockets; Approving Safety Management Plan; Upgrading Safety Rating; Imposing and Suspending Penalties against John F. Tuttle, d/b/a Alto Moving (Alto Moving or Company), in Dockets TV-200774 and TV-200775. In that Order, the Commission assessed a \$5,150 penalty, a \$3,000 portion of which was suspended for a period of two years, subject to the following conditions: (1) Alto Moving must timely pay the \$2,150 portion of the penalty that is not suspended; and (2) Alto Moving must not incur any repeat violations of critical regulations upon re-inspection.
- 2 On April 11, 2023, the Washington Utilities and Transportation Commission (Commission) issued a penalty assessment against Alto Moving in the amount of \$4,700 for violations of Washington Administrative Code (WAC) 480-15 in Docket TV-230215. Some of the violations cited were repeat violations.
- 3 On April 27, 2023, Alto Moving submitted an application for mitigation of the \$4,700 penalty.

4 Also on April 27, 2023, the Commission issued a letter imposing the \$3,000 penalty that was suspended in Dockets TV-200774 and TV-200775.

5 On June 29, 2023, the Commission entered Order 01, Denying Request for Hearing; Denying Mitigation; Imposing and Suspending Penalties (Order 01), in Docket TV-230215. Order 01 denied the Company's request for mitigation, imposed a \$4,700 penalty and suspended \$3,500 of the penalty for two years with conditions. One of the conditions was that Alto Moving either pay the \$1,200 portion of the penalty that is not suspended or file a mutually agreeable payment plan with Commission staff (Staff) within 10 days of Order 01.

6 On November 16, 2023, Staff filed a letter in this Docket informing the Commission that the Company requested to pay the combined penalty of \$4,200 from Dockets TV-200774, TV-200775, and TV-230215 in 11 monthly installments, and that Staff supports the request. The Company and Staff jointly proposed the following payment schedule:

Installment	Due Date	Amount
1	December 15, 2023	\$400
2	January 15, 2024	\$400
3	February 15, 2024	\$400
4	March 15, 2024	\$400
5	April 15, 2024	\$400
6	May 15, 2024	\$400
7	June 17, 2024	\$400
8	July 15, 2024	\$400
9	August 15, 2024	\$400
10	September 16, 2024	\$400
11	October 15, 2024	\$200

7 Staff also proposes that if Alto Moving fails to pay any installment by the due date, the entire balance, including the suspended penalty, will become due and payable immediately.

DISCUSSION

8 The installment payment schedule Staff and the Company propose is reasonable. Accordingly, the Commission approves the proposal with one modification. Alto 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 its timely monthly installment until the full amount of \$4,200 is satisfied.

ORDER

THE COMMISSION ORDERS THAT:

- 9 (1) The remaining \$3,000 penalty in Dockets TV-200774 and TV-200775 and the \$1,200 portion of the penalty that was not suspended in Docket TV-230215 are due and payable by Alto Moving, LLC, to the Commission in installments as set out in paragraph 6, above.
- 10 (2) If Alto Moving LLC, fails to pay any installment by 5 p.m. on the date it is due, the unpaid balances, including any suspended penalties, will immediately become due and payable without further order by the Commission.
- 11 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 November 27, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KATHY HUNTER
Acting 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.