

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of	)	DOCKET TV-071039
	)	
	)	
ALLSTAR MOVERS, LLC.,	)	NOTICE OF INTENT TO CANCEL
(THG-62885)	)	TEMPORARY AUTHORITY AND
	)	REJECT APPLICATION FOR
	)	PERMANENT AUTHORITY;
	)	OPPORTUNITY FOR HEARING
.....	)	

**I. INTRODUCTION**

1 **Nature of Proceeding.** The Washington Utilities and Transportation Commission (Commission) hereby provides notice of its intention to cancel temporary permit No. THG-62885 granted to Allstar Movers, LLC (Allstar Movers), and reject Allstar Movers’ application for permanent authority due to Allstar Movers’ failure to change its company name or procure permission from All Star Transfer, Laron Williams, Inc., d/b/a All Star Moving & Storage (All Star Moving) to use the similar company name.

2 **Procedural Background.** The Commission granted provisional operating authority to Allstar Movers under Permit No. THG-62885 on June 26, 2007. On July 25, 2007, another household goods carrier, All Star Moving, filed a protest to Allstar Movers’ application for authority. All Star Moving objected to the application, claiming that the two company names are deceptively similar, in violation of Commission rules governing household goods carriers.

3 On August 21, 2007, the Commission sent Allstar Movers a letter that suspended processing of the application for permanent authority unless and until Allstar changed its company name or received permission from All Star Moving to use the existing name.

4 The letter further stated that Allstar Movers was to respond by September 14, 2007, or the Commission would cancel the company’s provisional authority and dismiss the application for permanent authority. Allstar Movers never responded to the Commission.

5 As of December 26, 2007, Allstar Movers had held provisional authority for 180  
6 days.

## II. APPLICABLE LAW

6 Commission rules prohibit a household goods carrier from operating under a name  
7 that is similar to another carrier unless the carrier whose name is similar has granted  
8 its permission or the Commission has authorized use of the name.<sup>1</sup>

7 The Commission may cancel temporary permits at any time if a carrier fails or refuses  
8 to comply with applicable Commission rules or if other circumstances exist that cause  
9 the Commission to believe canceling the permit is in the public interest.<sup>2</sup>

8 The Commission may reject or deny an application for permanent authority if the  
9 Commission believes the applicant is unfit or that issuing the permit is not in the  
10 public interest.<sup>3</sup>

9 If it is necessary to resolve outstanding issues or concerns related to fitness or the  
10 public interest, or any other issue resulting from a complaint or public comment, the  
11 Commission may hold a hearing or brief adjudicative proceeding on any application  
12 for permanent authority.<sup>4</sup>

## III. FACTUAL ALLEGATIONS

10 The Commission takes official notice of the following facts, subject to the permit  
11 holder's opportunity for rebuttal:

11 The name "Allstar Movers" used by the carrier holding temporary authority under  
12 permit No. THG-62885 is similar to the name "All Star Moving & Storage" used by  
the carrier holding permanent authority under permit No. HG-11846.

12 Allstar Movers has failed to change its company name or procure permission from All  
Star Transfer to use the name "Allstar Movers."

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<sup>1</sup> See WAC 480-15-390(2).

<sup>2</sup> WAC 480-15-320.

<sup>3</sup> WAC 480-15-330.

<sup>4</sup> WAC 480-15-350.

- 13 Allstar Movers failed to respond to the Commission about its name as requested in the Commission's letter dated August 21, 2007.
- 14 **NOTICE OF OPPORTUNITY FOR HEARING.** Allstar Movers, LLC, may request a hearing to contest the factual allegations set out in this Notice. If Allstar Movers wishes to request a hearing to contest the cancellation of its temporary permit or dismissal of its application for permanent authority it must make a written request for a hearing with the Commission by **March 21, 2008**. An original and five (5) paper copies of the request must be directed to the attention of Carole J. Washburn, Executive Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, and must reference Docket TV-071039.
- 15 If Allstar Movers requests a hearing, the Commission will schedule a brief adjudicative proceeding under RCW 34.05.482 and WAC 480-07-610. If Allstar Movers requests a hearing, but cannot materially rebut the allegations set out above, the Commission will enter an order cancelling the company's temporary permit and rejecting the application for permanent authority. Similarly, if Allstar Movers does not request a hearing and does not change its name or procure permission to use its existing name from All Star Moving by the hearing request deadline set out in the paragraph above, the Commission will enter an order cancelling the company's temporary permit and rejecting the application for permanent authority.

DATED at Olympia, Washington, and effective February 22, 2008.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN  
Executive Secretary