



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
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October 15, 2014

NOTICE OF OPPORTUNITY TO RESPOND
(By Tuesday, October 28, 2014)

RE: *Washington Utilities and Transportation Commission v. Lyle and Darcy Allen d/b/a Eastside & All City Movers, Docket TV-140342*

TO ALL PARTIES:

On May 7, 2014, the Washington Utilities and Transportation Commission (Commission) entered Order 02, Stipulated Initial Order Classifying Respondent as Household Goods Carrier; Ordering Respondent to Cease & Desist; Imposing and Suspending Penalties on Condition of Future Compliance (Order 02). Order 02 ordered Lyle and Darcy Allen d/b/a Eastside & All City Movers (Eastside & All City Movers or Company) to cease and desist operating as a household goods carrier and imposed a fine of \$5,000 for two violations of RCW 81.80.075(1), all but \$500 of which was suspended for a period of two years from the date of Order 02,¹ conditioned on the Company (1) refraining from operating as a household goods carrier without a permit from the Commission and (2) paying the assessed penalty of \$500 that was not suspended.

Commission records indicate that Eastside & All City Movers made payments of (a) \$167 on May 7, (b) \$167 on June 6, and (c) \$166 on July 30, resulting in full payment of the \$500 penalty amount that was not suspended.

On June 13, 2014, Commission Staff (Staff) filed with the Commission a letter stating that it has information that Eastside & All City Movers continues to operate as a household goods carrier without a permit in violation of Order 02. Staff recommends that the entire penalty of \$5,000, be imposed in full for failing to comply with all of the conditions in Order 02.

The Commission provides the Company with an opportunity to respond to Staff's letter. As part of its response, Eastside & All City Movers may request a hearing to present evidence or contest Staff's allegations, but the Company must include any request for hearing in its

¹ Order 02 was dated May 6, 2014.

response and provide a written statement of the reasons supporting that request. The Commission will conduct a hearing only if the Company identifies genuine issues of material fact that need to be resolved in an evidentiary hearing. If Eastside & All City Movers does not file a response, the Commission will consider Staff's allegations to be uncontested and will render a decision accordingly.

THE COMMISSION GIVES NOTICE That Lyle and Darcy Allen d/b/a Eastside & All City Movers must file any written response to Staff's letter of June 13, 2014, including any request for hearing and supporting explanation, by 5:00 p.m., Tuesday, October 28, 2014.

GREGORY J. KOPTA
Director, Administrative Law Division