

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Metropolitan Movers, Inc. d/b/a The Family
Movers, Request for Mitigation of Penalty
Assessment

DOCKET TV-120113

NARRATIVE IN SUPPORT OF
SETTLEMENT AGREEMENT

I. INTRODUCTION

1 This Narrative Supporting Settlement Agreement (“Narrative”) is filed pursuant to
WAC 480-07-740(2)(a) on behalf of Metropolitan Movers, Inc. d/b/a The Family Movers
 (“Metropolitan Movers”) and Staff of the Utilities and Transportation Commission
 (“Commission Staff”) (collectively, “the Parties”). Both parties have signed the Settlement
 Agreement (“Agreement”), which is attached to this Narrative. This Narrative summarizes
 the Agreement. It is not intended to modify any terms of the Agreement.

II. PROPOSAL FOR REVIEW PROCEDURE

2 The Parties submit that this matter is considerably less complex than a general rate
 proceeding and request that review proceed on a timetable for less complex matters, as
 provided in WAC 480-07-740(1)(b). To the knowledge of either party, there are no
 opponents of the settlement. Because of the less complex nature of the matter and the
 uncontested status of the settlement, the Parties suggest that a formal settlement hearing
 along with the opportunity for public comment are unnecessary in this case.

3 The Parties do not intend to file documentation supporting the Agreement, with the
 exception of the Agreement itself and this Narrative. If the Commission requires supporting
 documents beyond the Agreement, Narrative, and the other documents on file in this docket,
 the Parties will provide documentation as needed.

4 In keeping with WAC 480-07-740(2)(b), the Parties are prepared to present one or
more witnesses each to testify in support of the proposal, and answer questions concerning
the settlement agreement's details and its costs and benefits, should such testimony be
required.

5 The Parties request a streamlined review of the proposed settlement. To that end, the
Parties would prefer an informal review on a paper record. In accordance with WAC 480-
07-730, the Parties propose the foregoing procedural alternatives for review of the proposed
Agreement.

III. SCOPE OF THE UNDERLYING DISPUTE

6 The underlying dispute concerns a penalty assessment issued by the Commission
against Metropolitan Movers on April 4, 2012. In 2012, Commission Staff conducted a
formal investigation of the business practices of Metropolitan Movers, with the intention of
determining whether Metropolitan Movers was in compliance with Commission statutes and
rules. In March 2012, Commission Staff completed an Investigation Report that contained,
among other things, its findings that Metropolitan Movers had violated certain Commission
rules.

IV. SUMMARY OF PROPOSED SETTLEMENT

7 The settlement resolves all of the issues in dispute. Metropolitan Movers admits that
it violated Commission rules and agrees to pay a \$700 penalty for violations of WAC 480-
15 and Tariff 15-C, including failure to properly complete estimates, failure to provide
customers with tables of measurement, failure to properly complete bills of lading, and
failure to follow the terms, conditions, rates, and other requirements of Tariff 15-C. The
\$700 penalty represents a \$100 penalty per each of seven categories of offenses identified on
page six of the Commission's March 2012 Investigation Report in this docket and will be

paid within thirty (30) days of the entry of the Commission's Initial Order in this docket, in the event the Commission approves this Settlement. Metropolitan Movers further agrees to provide a rigorous, written compliance plan that conforms to Investigative Staff standards and addresses these violations and any newly identified violations of Commission statutes, rules, or Tariff 15-C. Company employees Ron Cronkhite and Karley Carson agree to attend the Commission's upcoming July 11, 2012, Household Goods Training. Finally, the Company agrees to provide to Investigative Staff for its compliance review all household goods moving forms used by Metropolitan Movers in the conduct of its household goods intra-state moving business. Metropolitan Movers commits to compliance with Commission statutes and rules.

8 Finally, the Commission is not precluded from pursuing penalties for violations of Commission statutes and rules unrelated to the subject matter of this Agreement, or for violations of the rules stated therein, subsequent to the Agreement.

V. STATEMENT OF PARTIES' INTERESTS AND THE PUBLIC INTEREST

9 As stated in the Agreement, the settlement represents a compromise of the positions of the two parties. The Parties find it is in their best interests to avoid the expense, inconvenience, uncertainty, and delay inherent in a litigated outcome. It is in the public interest that this dispute conclude without further expenditure of public resources on litigation. Likewise, it is in the public interest that the Agreement includes Metropolitan Movers's admission that it violated Commission rules. It is also in the public interest that the Agreement does not limit the Commission's enforcement abilities with respect to future violations, or violations of Commission statutes and rules unrelated to the subject matter of the docket.

10

For the above reasons, the Agreement is in the public interest. The Parties recommend that the Commission approve the Agreement in its entirety.

VI. LEGAL POINTS THAT BEAR ON PROPOSED SETTLEMENT

11

In WAC 480-07-700, the Commission expresses its support for parties' informal efforts to resolve disputes without the need for contested hearings when doing so is lawful and consistent with the public interest. The Parties have resolved all of the issues in dispute between them, and their resolution complies with Commission rules and, as explained above, is consistent with the public interest.

VII. CONCLUSION

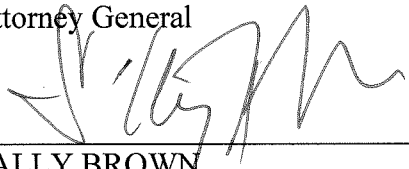
12

Because the Parties have negotiated a compromise on all of the issues in this dispute, and because the settlement is in the public interest, both parties request that the Commission approve the attached Settlement Agreement.

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

METROPOLITAN MOVERS

ROBERT M. MCKENNA
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Counsel for the Washington Utilities and
Transportation Commission Staff

RON CRONKHITE
Chief Executive Officer

Dated: 05/29/12, 2012

Dated: _____, 2012

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