



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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February 22, 2022

NOTICE OF CONSOLIDATION

and

NOTICE OF OPPORTUNITY TO SUBMIT WRITTEN COMMENTS

(By March 25, 2022, at 5 p.m.)

RE: Inquiry regarding updates to Tariff 15-C

TO ALL INTERESTED PERSONS:

On July 2, 2021, Clutter, Inc., (Clutter) filed with the Utilities and Transportation Commission (Commission) a petition to revise Tariff 15-C in Docket TV-210535 (Clutter Petition). On Oct. 11, 2021, the Washington Movers Conference (WMC) filed a petition to revise Tariff 15-C in Docket TV-210812 (WMC Petition).

The Commission gives notice that it consolidates Dockets TV-210535 and TV-210812 because the issues presented by the Clutter Petition and WMC Petition (collectively, Petitions) share common issues of law and fact insofar as the Petitions request revisions to Tariff 15-C.¹

The Commission seeks stakeholder input to inform its inquiry, including general comments related to the scope and purpose of possible tariff revisions. The Clutter Petition requests removal of the minimum rate band. The WMC Petition requests removal of the maximum rate band. In addition, the Clutter Petition requests revisions to the definition of permanent storage, requirements for billing in 15-minute increments, and the requirement to bill a minimum number of hours.

¹ “The commission, in its discretion, may consolidate two or more proceedings in which the facts or principles of law are related.” WAC 480-07-320.

Removing both the minimum and maximum rate band would require legislative action to amend RCW 81.80.130. Removing only the minimum or maximum rate band would require a Commission rulemaking to amend WAC 480-15-490. Because a formal rulemaking could be time consuming and lengthy, Commission Staff also intends to consider other potential modifications to Tariff 15-C to address minimum and maximum rates. To that end, Staff developed the questions below related to the Petitions' proposals.

QUESTIONS FOR CONSIDERATION

The Commission requests both general comments and responses to the questions provided below.

1. Tariff 15-C defines “storage-in-transit” as 90 days or less (Item 10) and provides that liability for a shipment remains with the carrier while the shipment is in “storage-in-transit” (Item 100). Permanent storage begins after 90 days.
 - a. Should the Commission consider changing the time shipments can be considered “storage-in-transit? If yes, what should the Commission consider and why?
 - b. If permanent storage began before 90 days, when should it start and why?
 - c. If permanent storage begins after 30 days, for example, what (if any) additional consumer protections should be extended to the customer?
 - d. Are there any reasons this tariff rule should remain unchanged?
2. Tariff 15-C Item 102(5) includes a contract for small goods transportation and storage services. This contract is very similar to the Item 95 Bill of Lading.
 - a. Could the contract in Item 102(5) be removed from Tariff 15-C, and small goods transportation and storage services use the Item 95 Bill of Lading instead?
3. Tariff 15-C Item 230(2) requires moving companies to bill customers in 15-minute increments.
 - a. Should the Commission consider eliminating the current time increment requirement and, instead, allow companies to bill customers by the minute?
 - b. Should the tariff rule retain the option to bill in 15-minute increments, and add the option to bill by the minute?
 - c. If the Commission allows billing for time spent on the job by the minute, will that change how you track time spent on the job?
4. Tariff 15-C Item 230(7)(a)(ii) sets the minimum hours carriers can charge for household goods moves that occur after hours, on weekends, and on state-recognized holidays at four hours.
 - a. Should the Commission consider removing the four-hour minimum and adopt a one-hour minimum for all moves?
5. WMC’s petition requested removal of all maximum tariff rates contained in Tariff 15-C, while maintaining a “reasonable Minimum Rate Band.”
 - a. Are the current minimum tariff rates reasonable?
 - b. If not, how should the Commission alter the minimum rates?

- c. How should the Commission determine/establish minimum rates?
6. Tariff 15-C contains several maximum rates for various goods and services.
 - a. Are the current maximum tariff rates reasonable? Why or why not?
 - b. If the Commission were to set the maximum rates to allow the industry the ability to recover the costs outlined in WMC's petition, how should the maximum rates be set?

WRITTEN COMMENTS

Written comments filed in response to this Notice must be filed with the Commission no later than 5 p.m. on March 25, 2022, and must be submitted in electronic form, pursuant to WAC 480-07-250(3). Those comments must be submitted via the Commission's web portal at www.utc.wa.gov/e-filing as provided in WAC 480-07-140(5). If you are unable to submit documents via the web portal, you may submit your comments by email to the Commission's Records Center at records@utc.wa.gov or by mailing an electronic copy to the Commission's Records Center on a flash drive, DVD, or compact disc that includes the filed document(s). Comment submissions should include:

- The docket numbers of this consolidated proceeding (TV-210535 and TV-210812).
- The commenting party's name.
- The title and date of the comments.

The Commission will post all written comments on its website at the following URL address: www.utc.wa.gov.

If you have questions about this Notice, you may contact Greg Hammond at greg.hammond@utc.wa.gov, or (360) 664-1278.

AMANDA MAXWELL
Executive Director and Secretary