

Date Received: November 10, 1997

Docket No.: TV-971477

Company: Amends WAC 480-12, Relating to Household Goods Movers

Distribution:

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- Commissioner Gillis
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- Kim Dobyms
- Ray Gardner
- Bonnie Allen
- Pat Dutton
- Carolyn Caruso

*Response letter  
attached to  
comments*

For Records Center Use Only

RMS	<u>✓</u>
FOB	<u>✓</u>
PR	<u>      </u>
MSL	<u>      </u>
NOH	<u>      </u>
Disk	<u>      </u>
Initial	<u>W</u>



## WASHINGTON MOVERS CONFERENCE

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STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

James R. Tutton, Jr.  
Executive Director

November 7, 1997

Mr. Paul Curl  
Deputy Director, Regulatory Services  
Washington Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

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WASH. UT. & TP. COMM.

Dear Paul,

Re: Letter, Household Goods Rulemaking, Docket No. TV-971477, dated November 4, 1997.

Paul, I am deeply disturbed with the descriptive content of the above referenced letter that has been distributed to all interested persons seeking written comments on the Commission's intent to conduct a rulemaking for motor carriers with authority to transport household goods.

This announcement, which will for the Commission's purposes reach out to the shipping public, is completely biased against the professional and properly permitted household goods carriers. The way the need for rulemaking is addressed in the announcement intimates that the Washington State Household Goods Moving Industry is operating in a manner of deception with no real consumer protection rules in place. Examples follow:

**A. "The current definition of "household goods" is not consistent with that established in recent federal legislation which may result in confusion."**

The above statement portrays a bias that the professional movers don't know or understand what constitutes household goods resulting in confusion amongst themselves and the shipping public. A better way to state this issue might have been to phrase it as - The current Washington State definition of "household goods" needs to be reviewed for compliance with recent federal legislation.

**B. "Federal preemption of economic regulation of motor carriers, with the exception of household goods carriers, has left household goods carriers, a group of 250 regulated carriers, under the rules, policies and procedures designed to regulate almost 4,000 motor carriers. Some of these rules, policies and procedures appear less relevant in today's environment, may be unnecessarily complex and/or ill suited to regulating the carriers that remain subject to the chapter...."**

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It is not clear what the above paragraph is attempting to address. Without going into such negative toned detail, a better way to state this issue might have been to phrase the issue as - Some of the rules, policies and procedures contained in Chapter (?) relating to household goods carriers need to be reviewed for clarity and applicability in today's technologically advanced environment. Areas under consideration include:

**C. "Consumer protection rules for household goods customers are minimal. When the household goods company is at fault ...."**

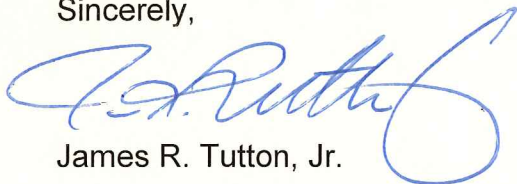
Once again we have a biased statement against the professional household goods carrier. This descriptive paragraph was not needed. The areas listed for review could have just as easily been listed under the previous paragraph. In addition, Paul, we have addressed many of these issues with you in the past with little or no resolution.

**D. "It is difficult to acquire household goods authority under current application of the "public convenience and necessity" standard. The Commission believes it is appropriate to consider whether the current application of the entry standard is still appropriate under emerging market and legal conditions."**

Is the professional statewide moving industry to assume the Commission has made up its mind to do away with the "public convenience and necessity" standard? Are you caving into the ill founded logic presented by the illegal movers? The same illegal movers who offer low, cut-rate pricing because they have no intention of paying applicable state taxes, insuring their employees against on-the-job injuries, or offering any type of loss or damage claim resolution. If so, the Commission's "consideration" of doing away with this standard contradicts the earlier statement that reflects a concern that: "Consumer protection rules for household goods customers are minimal."

It would be our hope that your letter of November 4, 1997, would be immediately rescinded and rewritten in a more logical, unbiased form that would allow a much less confrontational atmosphere among all interested parties once the stakeholder meetings begin in January 1998.

Sincerely,



James R. Tutton, Jr.

cc: Mr. Terry PomArleau, PomArleau Transfer and Storage, President, WMC



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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November 18, 1997

James R. Tutton, Jr.  
Executive Director  
Washington Movers Conference  
930 South 336th Street  
Federal Way, WA 98003-6384

Dear Mr. Tutton:

The Commission is in receipt of your November 7 letter to Mr. Paul Curl, Deputy Director, Regulatory Services, regarding Docket No. TV-971477, Household Goods Rulemaking.

As I explained in our November 17 telephone conversation, I regret that the WMC felt that the rulemaking announcement was biased or that it intimated that the industry was operating in a deceptive manner without any consumer protection rules in place.

The Commission's intent in this rulemaking is to review household goods rules with the hopes of developing rules which promote competition where it can protect the public interest at least as well as regulation; reform and improve regulation of services to be more efficient and increase consumer choice, while maintaining public interest protections; eliminate regulations that are no longer needed to protect the public; and, clearly define consumer protection elements. The Commission has not made up its mind on any of the issues involved in the rulemaking at this time.

I look forward to working with both you and the Washington Movers Conference as we move forward in reviewing and developing rules which will accomplish the above mentioned intent. If you have questions or concerns, please let me know. I can be reached at (360) 664-1241.

Sincerely,

Patsy J. Dutton  
Assistant Director-Operations



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