

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of SAFE-TO-GO-MOVERS, LLC, For Compliance with WAC 480-15	DOCKET TV-190515 (<i>Consolidated</i>) ORDER 03
In the Matter of the Penalty Assessment against SAFE-TO-GO-MOVERS, LLC, in the amount of \$8,600	DOCKET TV-190514 (<i>Consolidated</i>) ORDER 03
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, Complainant, v. SAFE-TO-GO-MOVERS, LLC, Respondent.	DOCKET TV-200161 (<i>Consolidated</i>) ORDER 02 CONSOLIDATING DOCKETS; SUSPENDING PROCEDURAL SCHEDULE; CANCELING PREHEARING CONFERENCE

BACKGROUND

- 1 **Dockets TV-190515 and TV-190514.** On July 1, 2019, the Washington Utilities and Transportation Commission (Commission) issued a Notice of Intent to Cancel and Notice of Brief Adjudicative Proceeding; Setting Time for Oral Statements in the Matter of the Investigation of Safe-to-Go-Movers, LLC, (Safe-to-Go-Movers or Company) for Compliance with Washington Administrative Code (WAC) 480-15 (Notice) in Docket TV-190515.
- 2 The Notice explained that Commission staff (Staff) conducted a compliance review of Safe-to-Go-Movers' operations and cited the Company for various acute, critical, and out-of-service violations of federal and state safety regulations. Based on its review, Staff recommended the Commission cancel Safe-to-Go-Movers' household goods carrier permit unless the Company obtains Commission approval of a safety management plan.

- 3 On July 9, 2019, the Commission assessed an \$8,600 penalty (Penalty Assessment) against Safe-to-Go-Movers for the 90 violations of WAC 480-15 discovered during Staff's compliance review in Docket TV-190514.
- 4 On August 12, 2019, the Commission entered Order 01, Consolidating Dockets, Approving Safety Management Plan; Upgrading Safety Rating to Conditional; Imposing and Suspending Penalties (Order 01). Order 01 consolidated dockets TV-190515 and TV-190514 and, among other things, imposed an penalty of \$8,600 against Safe-to-Go-Movers, a \$5,000 portion of which was suspended on the conditions that Safe-to-Go-Movers (a) maintain a conditional safety rating; (b) not incur any repeat acute or critical violations of WAC 480-15 upon re-inspection; and (c) pay the remaining \$3,600 penalty within 10 days of the effective date of Order 01.
- 5 On August 29, 2020, the Commission entered Order 02, Granting Payment Arrangement (Order 02), which allowed the Company to pay the \$3,600 portion of the penalty that was not suspended in 15 monthly payments, concluding on November 20, 2020.
- 6 **Motion to Impose Suspended Penalty.** On March 27, 2020, Staff filed a Motion to Impose the Suspended Penalty (Motion to Impose Penalty) in Dockets TV-190514 and TV-190515 (*Consolidated*). In its Motion to Impose Penalty, Staff states that it performed a follow-up review of the Company's operations, as required by Order 01. During that review, Staff determined that the Company incurred repeat violations of WAC 480-15, thus violating one of the conditions of the penalty suspension. Staff thus requests that the Commission impose the suspended portion of the penalty.
- 7 **Docket TV-200161.** On March 26, 2020, the Washington Utilities and Transportation Commission (Commission) entered Order 01, Complaint Seeking to Impose Penalties; Notice of Telephonic Prehearing Conference (Complaint Order) in Docket TV-200161. The Complaint Order seeks to impose penalties for violations discovered during the follow-up investigation related to Dockets TV-190514 and TV-190515. The Complaint Order scheduled a telephonic prehearing conference that was later rescheduled by notice to May 15, 2020, at 9:30 a.m.
- 8 **Motion to Consolidate.** On March 27, 2020, Staff filed a Motion to Consolidate (Motion to Consolidate) Dockets TV-190514, TV-190515, and TV-200161. In the Motion to Consolidate, Staff states that the violations alleged in the Complaint Order underlie the Motion to Impose Penalty and thus share related facts.
- 9 On May 8, 2020, Staff contacted the presiding officer to inform the Commission that some of the parties (Settling Parties) have reached a settlement in principle that resolves the issues in all three dockets. The Settling Parties request that the Commission suspend the procedural schedule and cancel the prehearing conference scheduled for May 15, 2020, to allow them

time to formalize their settlement. Staff further states that the non-settling party does not object to the request.

DISCUSSION AND DECISION

1. Consolidation

10 Because the violations alleged in the Complaint Order gave rise to the issues in both dockets, the Commission exercises its discretion to consolidate these proceedings. Accordingly, Dockets TV-190515, TV-190514, and TV-200161 are consolidated.

2. Procedural Schedule

11 Because the Commission encourages amicable settlements of the matters before it, the Commission finds good cause to suspend the procedural schedule and cancel hearing to allow the Settling Parties sufficient time to memorialize the settlement agreement, and to require the Settling Parties to file such settlement agreement and supporting testimony by 5 p.m. on May 29, 2020. At that time, the Commission will determine what further procedure will be necessary in light of the proposed settlement and the position of the remaining party.

ORDER

THE COMMISSION ORDERS THAT:

- 12 (1) Docket TV-190514, Docket TV-190515, and Docket TV-200161 are consolidated.
- 13 (2) The procedural schedule in Docket TV-200161 is suspended.
- 14 (3) The prehearing conference set for 9:30 a.m., May 15, 2020, is canceled.

DATED at Lacey, Washington, and effective May 12, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Michael Howard
MICHAEL HOWARD
Administrative Law Judge