



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

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October 13, 2020

Mark L. Johnson, Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. I Heart Movers, LLC*
Commission Staff's Response to Request for Payment Arrangements
Dockets TV-200628 and TV-200627 (*Consolidated*)

Dear Mr. Johnson:

On July 20, 2020, the Washington Utilities and Transportation Commission (Commission) issued a notice of intent to cancel the permit of I Heart Movers, LLC, (IHM or Company) and a notice of virtual brief adjudicative proceeding under Docket TV-200628.

On July 21, 2020, the Commission issued a penalty assessment against IHM in the amount of \$9,100 for violations of Washington Administrative Code (WAC) 480-15-555, WAC 480-15-560, and WAC 480-15-570 in Docket TV-200627. On July 22, 2020, IHM filed with the Commission its application for mitigation of the penalty.

On August 17, 2020, IHM submitted a proposed safety management plan (SMP) to Commission staff (Staff). On August 19, 2020, Staff filed with the Commission its evaluation of IHM's SMP and Staff's response to the Company's request for mitigation.

On August 31, 2020, the Commission entered Order 01, which consolidated Dockets TV-200627 and TV-200628, approved the Company's SMP, upgraded IHM's safety rating from "unsatisfactory" to "conditional," and reduced the \$9,100 penalty to \$4,750. In addition, Order 01 suspended a \$2,250 portion of the reduced penalty for a period of two years, subject to the conditions that: (1) Staff conducts a follow-up investigation in approximately six months, (2) IHM not incur any repeat violations of critical regulations, and (3) the Company pays the \$2,500 portion of the penalty that is not suspended within 10 days of Order 01.

On October 13, 2020, Staff and IHM came to a mutual agreement on a proposed payment plan, as follows:

Payment Plan		
Installment	Due Date	Amount
1	November 2, 2020	\$150
2	December 2, 2020	\$150
3	January 4, 2021	\$150
4	February 2, 2021	\$150
5	March 2, 2021	\$150
6	April 2, 2021	\$150
7	May 3, 2021	\$150
8	June 2, 2021	\$150
9	July 2, 2021	\$150
10	August 2, 2021	\$150
11	September 2, 2021	\$150
12	October 4, 2021	\$150
13	November 2, 2021	\$150
14	December 2, 2021	\$150
15	January 4, 2022	\$150
16	February 2, 2022	\$250
Total:		\$2,500

IHM explained that it failed to pay the \$2,500 non-suspended portion of the penalty because it thought Staff would initiate payment arrangement discussions like Staff had done in a previous docket.

Despite the Company's failure to pay the \$2,500 portion of the penalty that is not suspended within 10 days of Order 01, Staff recommends the Commission grant the Company's request for payment arrangements and continue to suspend a \$2,250 portion of the penalty as provided in Order 01. IHM is aware that if it fails to pay any installment by the due date, the entire remaining balance, including the suspended penalty, will become immediately due and payable without further Commission order.

If you have any questions, please contact Jason Hoxit, Compliance Investigator, Transportation Safety, at (360) 867-8305, or by email at Jason.Hoxit@utc.wa.gov.

Sincerely,



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Jason (UTC)
Date: 2020.10.13
13:39:21 -07'00'

Jason Sharp
Motor Carrier Safety Supervisor, Transportation Safety