



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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January 12, 2018

Steven V. King, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P.O. Box 47250  
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Iron Man Movers and Storage, Inc.*  
Commission Staff's Response to Proposed Payment Plan  
Docket TV-171005

Dear Mr. King:

On July 12, 2017, in docket TV-170205, the Commission assessed a penalty of \$21,100 against Iron Man Movers and Storage, Inc. (Iron Man Movers) for violations of WAC 480-15 (business practices) and Tariff 15-C. The Commission then suspended a \$10,600 portion of the penalty, with conditions, leaving a balance of \$10,500. On October 6, 2017, the Commission approved a payment arrangement whereby Iron Man Movers would make 21 monthly payments of \$500. Iron Man Movers is current with its payments in this matter.

On October 10, 2017, in docket TV-171005, the Commission assessed a penalty of \$42,800 against Iron Man Movers for violations of WAC 480-15 (safety violations). The company submitted a request for mitigation on October 27, 2017. In its mitigation request, Iron Man Movers addressed only one of the six violation types cited. Accordingly, the Commission granted partial mitigation on November 8, 2017, reducing the penalty to \$37,100.

On December 30, 2017, Iron Man Movers contacted Commission staff regarding payment arrangements for docket TV-171005. Susan Stewart, co-owner of Iron Man Movers, explained that her company is currently making monthly \$500 payments in docket TV-170205. Ms. Stewart requested payment arrangements of \$500 per month toward docket TV-171005 for the first 18 months, at which time the penalty in docket TV-170205 would be paid in full, and \$1,000 per month for another 28 months. According to Ms. Stewart, \$1,000 per month is the most the company can afford to pay.

Staff appreciates the company's willingness to address these penalties, and notes that it is uncommon for both Compliance Investigations and Motor Carrier Staff to recommend penalties

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against the same company within a few months. The purpose of the Commission's enforcement program is to encourage voluntary compliance with regulations without creating undue financial hardship for a regulated company. The sum of the penalties (non-suspended) in these two dockets is \$58,200, which represents 17% of the company's reported gross income for 2016.

Staff recommends the Commission suspend \$25,100 of the \$37,100 penalty in docket TV-171005 for a period of 24 months, and then dismiss it on the following conditions:

1. Iron Man Movers will make 24 monthly payments of \$500 per month, for a total of \$12,000.
2. The Commission will suspend the remainder of the penalty (\$25,100) for 24 months, on the condition the company makes timely monthly payments. After 24 months the Commission will dismiss the remaining penalty if the company made timely payments as required.
3. If Iron Man Movers misses any monthly payment the entire amount (\$37,100) becomes immediately due and payable.

In considering the totality of circumstances, staff believes this is an appropriate arrangement.

If you have any questions, please contact Mike Turcott, Compliance Investigations Supervisor, Consumer Protection, at (360) 664-1174, or by email at [mike.turcott@utc.wa.gov](mailto:mike.turcott@utc.wa.gov).

Sincerely,



Bridgit Feeser  
Assistant Director, Consumer Protection