

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Penalty Assessment Against	DOCKET TV-190298 (Consolidated)
TIRAOGO SIMPORE d/b/a TS MOVING SERVICES	ORDER 02
In the amount of \$5,000	
In the Matter of the Investigation of	DOCKET TV-190299 (Consolidated)
TIRAOGO SIMPORE d/b/a TS MOVING SERVICES	ORDER 02
For Compliance with WAC 480-15-560 and WAC 480-15-570	GRANTING PAYMENT ARRANGEMENT

**BACKGROUND**

- 1 On April 30, 2019, the Washington Utilities and Transportation Commission (Commission) issued a Notice of Intent to Cancel Permit as a Household Goods Carrier and Notice of Brief Adjudicative Proceeding; Setting time for Oral Statements In the Matter of the Investigation of Tiraogo Simpoire d/b/a TS Moving Services (TS Moving or Company) for Compliance with WAC 480-15-560 and WAC 480-15-570 in Docket TV-190299 (Notice).
- 2 Then on June 4, 2019, the Commission assessed a \$5,000 penalty (Penalty Assessment) in Docket TV-190298 against TS Moving for 79 violations of Commission rules, as follows: 24 violations of WAC 480-15-550 related to cargo insurance; one violation of WAC 480-15-555 related to criminal background checks for prospective employees; 24 violations of WAC 480-15-570, which adopts by reference Title 49 of the Code of Federal Regulations (49 C.F.R.) Part 391 related to using a driver not medically examined and certified, and 30 violations 49 C.F.R. Part 395 related to preparing records of duty status.<sup>1</sup>

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<sup>1</sup> WAC 480-15-570 adopts by reference section of Title 49 C.F.R. Accordingly, Commission safety regulations with parallel federal provisions are hereinafter referenced by the applicable part of 49 C.F.R.

**Pursuant to RCW 80.01.060(3)  
This packet is the final  
Order in this docket.**

- 3 On June 11, 2019, the Commission conducted a brief adjudicative proceeding before Administrative Law Judge Laura Chartoff regarding both dockets.
- 4 On April 22, 2019, the Company responded to the Penalty Assessment, admitting the violations and requesting mitigation of the penalty based on the written information provided.
- 5 On June 20, 2019, the Commission entered Order 01, Order of Consolidation; Order Extending Provisional Certificate; Order Imposing and Suspending Penalties (Order 01). Order 01 imposed a reduced penalty of \$3,800, a \$2,500 portion of which was suspended for a period of two years subject to the following conditions: (1) TS Moving must either pay the \$1,300 portion of the penalty that is not suspended or file jointly with Staff a proposed payment arrangement within 10 days of the effective date of the Order; and (2) TS Moving may not incur any repeat violations of critical regulations.
- 6 On July 3, 2019, Commission staff (Staff) filed a letter with the Commission explaining that the Company requested to pay the penalty in 12 monthly installments, and that Staff supports the request. The Company and Staff jointly propose the following payment schedule:

Installment	Due Date	Amount
1	July 22, 2019	\$110
2	August 20, 2019	\$110
3	September 20, 2019	\$110
4	October 21, 2019	\$110
5	November 20, 2019	\$110
6	December 20, 2019	\$110
7	January 20, 2020	\$110
8	February 20, 2020	\$110
9	March 20, 2020	\$110
10	April 20, 2020	\$110
11	May 20, 2020	\$110
12	June 22, 2020	\$110

- 7 Staff also proposes that if TS Moving misses one payment, the entire balance will become due and payable immediately.

**DISCUSSION**

8 The installment payment schedule Staff and the Company propose is reasonable. The Commission approves the proposal with one modification. TS Moving may make additional payments in advance of the payment due dates or pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make timely monthly installments until the full amount of \$1,300 is satisfied.

**ORDER**

THE COMMISSION ORDERS THAT:

- 9 (1) The \$1,300 penalty is due and payable to the Commission in installments as set out in paragraph 4, above.
- 10 (2) If Tiraogo Simpore d/b/a TS Moving Services fails to pay any installment by 5 p.m. on the date it is due, the unpaid balance, as well as the \$2,500 suspended portion of the penalty, will immediately become due and payable without further order by the Commission.
- 11 (3) Tiraogo Simpore d/b/a TS Moving Services may make additional payments in advance of the payment due dates or pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make timely monthly installments until the full amount is satisfied.
- 12 The Secretary has been delegated authority to enter this order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Olympia, Washington, and effective July 8, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON  
Executive Director and Secretary

**NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for**

**Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.**