



Washington Movers Conference

of the Washington Trucking Associations

930 South 336th Street, Suite B
Federal Way, WA 98003-6384
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James R. Tutton, Jr.
Executive Director

July 13, 2012

Mr. Dave Danner
Executive Director/Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

Dear Mr. Danner:

References:

- A. WAC 480-15-510, Changing commission-published tariffs
- B. Washington Movers Conference letter petitioning the WUTC for changes to the current HHG Tariff No. 15-C, dated June 8, 2012
- C. WUTC Notice of Opportunity to Submit Written Comments (Notice) in DOCKET TV-120835, dated June 14, 2012
- D. WUTC DOCKET TV-120835, ORDER 01, ORDER APPROVING REVISIONS TO TARIFF NO. 15-C, dated July 12, 2012

I am notably upset with the proceedings described in Reference D above. Once again commission staff interprets WAC rules to their benefit in discussions with top level leadership of the WUTC. To wit:

- a. Reference A, above, describes how to propose/request changing commission-published tariffs. That guidance was followed by the Washington Movers Conference, as it has in previous WUTC Tariff No. 15-C change requests that have been approved by the commission.
- b. Reference B is the WUTC Tariff No. 15-C change request submitted by the Washington Movers Conference to the WUTC on June 8, 2012, and "time stamped" received by the WUTC on June 11, 2012.

In the second paragraph 2 (there are two number 2 paragraphs) of Reference D, it states "On June 14, 2012, the Commission issued a Notice of Opportunity to Submit Written Comments (Notice) in Docket TV-120835. The Notice described the proposed changes and asked for written comments no later than June 27, 2012. The Commission received two comments, one from James Tutton of the Washington Movers Conference, and one from Craig Loidhamer at United Moving & Storage. In Mr. Tutton's comments, he proposed changes to Item 85 that were substantially similar to Staff's proposed changes. Mr. Tutton also proposed changes to Item 95, which were beyond the scope of this revision. Mr. Tutton was advised to file a separate petition to address proposed changes to Item 95."

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RECORDS MANAGEMENT
2012 JUL 16 AM 8:02
STATE OF WASH
UTIL. AND TRANSP
COMMISSION

I strongly take exception to staff's comments.

First, the Washington Movers Conference letter of June 8, 2012, was not comments to DOCKET TV-120835 as they state, but rather a petition for two Tariff No. 15-C changes in accordance with Reference A. The Notice of Opportunity to Submit Written Comments (Notice) in DOCKET TV-120835 had not even been released yet!

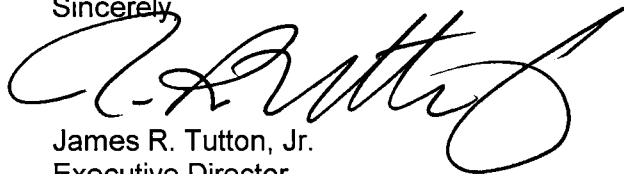
Secondly, the Washington Movers Conference comments WERE NOT substantially similar to Staff's proposed changes. In fact, the WMC request to correct an error in Item 85, paragraph 2g was completely ignored!

Thirdly, again the second paragraph number 2 of Reference D contains the statement, "*Mr. Tutton also proposed changes to Item 95, which were beyond the scope of this revision. Mr. Tutton was advised to file a separate petition to address proposed changes to Item 95.*" Again, the WMC letter of June 8th was submitted nearly a week before the Commission issued the Notice described in Reference B above and should have been acted on!

I truly believe, because of the WMC submission of June 8th, commission staff hurriedly put their proposal together so as to get credit for making the change. And I am fine with that. But they made errors in doing so. And I take exception to being made a fool of in their process.

Should you like to discuss this further, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Tutton, Jr.", written in a cursive style.

James R. Tutton, Jr.
Executive Director

4 Enclosures

WAC 480-15-510
Changing commission-published tariffs.

(1) Companies holding temporary or permanent household goods authority may propose changes to the tariff. In addition, the commission may, on its own motion, propose tariff changes.

(2) Companies must send all proposed changes to the commission's mailing address. Proposed changes must meet all of the following:

- (a) Be in writing.
- (b) Identify the tariff item to be changed.
- (c) Fully describe the proposed change.
- (d) State clearly the reason(s) for the proposed change.
- (e) Include any information or documents that justify the proposed change (the person proposing the change must prove the change is just and reasonable).
- (f) Identify the name, address, title, telephone number, e-mail address, permit number and fax number (if any) of the person the commission should contact regarding the proposal.

(3) When the commission receives a proposed tariff change, it will:

- (a) Assign a docket number.
- (b) Schedule each docketed proposal for tariff change for consideration at a regularly scheduled open public meeting.
- (c) Notify other interested persons of the date when it will consider the tariff change.

(d) If the application for tariff change is suspended, the commission will process the application under the procedures set forth in chapter 480-07 WAC.

(4) Approved changes are not effective until the commission publishes and distributes a revised tariff page with a stated effective date.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.250, 81.28.040, 81.80.120, 81.80.130 and 81.80.290. 08-02-049 (Docket TV-070466, General Order R-547), § 480-15-510, filed 12/27/07, effective 1/27/08. Statutory Authority: RCW 80.01.040 and 80.04.160. 03-24-028 (General Order R-510, Docket No. A-010648), § 480-15-510, filed 11/24/03, effective 1/1/04. Statutory Authority: RCW 81.04.160 and 80.01.040. 99-01-077 (Order R-454, Docket No. TV-971477), § 480-15-510, filed 12/15/98, effective 1/15/99.]

REFERENCE A



Washington Movers Conference

of the Washington Trucking Associations

930 South 336th Street, Suite B
Federal Way, WA 98003-6384
(253) 838-1650
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James R. Tutton, Jr.
Executive Director

June 8, 2012

Mr. Dave Danner
Executive Director/Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

RECEIVED
RECORDS MANAGEMENT
2012 JUN 11 AM 9:00
STATE OF WASH
UTIL. AND TRANSP
COMMISSION

Dear Mr. Danner:

The Washington Movers Conference would like to petition the Washington Utilities and Transportation Commission for changes to the current HHG Tariff No. 15-C. The changes requested would be language changes to ITEM 85 – ESTIMATES and ITEM 95 – BILLS OF LADING.

The recommended language changes are simple and are shown in bold print.

FOR ITEM 85 - ESTIMATES:

Change Paragraph 2 to read: **Carriers must prepare a written Estimated Costs for Services for every move to be transported based on a physical survey of the goods to be shipped.** Carriers must include the following elements in the **printed estimate that are relevant to the specific move identified and requested by the customer, including all charges,** in all binding and nonbinding estimates, even if those estimates are completed **by the carrier or by the customer in electronically generated or hard-copy paper formats.**

Support for change: The required elements shown on the current hard-copy paper Estimated Costs for Services, but not requested by the customer or relevant to the move are currently left blank, no charges shown. As discussed in the May 22, 2012, meeting, the current electronic processes for generating estimates have the capability to provide all of the needed information required by ITEM 85 – ESTIMATES if the specific element is to be performed during the move. Those elements not performed simply are not printed on the final electronically generated Estimated Costs for Services the customer signs.

Change paragraph 2g to read: The proper form to be used is a household goods **Table of Measurements or an electronic cube sheet** of the items upon which the estimate is based and the estimated cubic footage for each item.

Support for change: The proper form for use with the Estimated Costs for Services is a Table of Measurements or an electronic cube sheet which provides the cubic measurement of each item to be moved. The Table of Measurements form is shown on the WUTC web site.

FOR ITEM 95 – BILLS OF LADING:

CONTRACT TERM AND CONDITIONS OF UNIFORM HOUSEHOLD GOODS BILL OF LADING

Change SECTION 4 (C) to read: If this contract is referred to a court for resolution the **non-prevailing** party shall be responsible for payment of reasonable attorney fees and court costs.

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REFERENCE B

TV-120881

Change SECTION 4 (D) to read: The customer shall indemnify the carrier **against** loss or damage caused by inclusion in the shipment of explosives, dangerous articles, or dangerous goods.

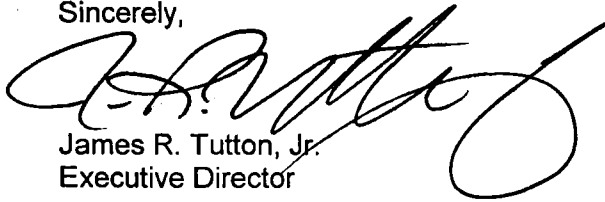
Support for change: The two statements above relevant to SECTION 4 are basic standard statements used in the household goods moving industry. This change also removes frivolous words not needed. See Milburn Printing web site, www.milburnprinting.com , click on State and Local tab for various State Uniform Household Goods Bill of Ladings in use. Milburn Printing is the leading printer of household goods industry forms.

Change SECTION 6, last sentence to read: A copy of the original paid transportation bill, bill of lading, contract or shipping receipt **must** accompany the written claim.

Support for change: Using the term "must" instead of "should" better defines the requirement to provide proof of delivery to support the claim.

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Tutton, Jr.', written in a cursive style with a large loop at the end.

James R. Tutton, Jr.
Executive Director



STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
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June 14, 2012

Household Goods Tariff 15-C Review
Carrier Use of Electronic Estimating Technology When Performing Visual Inspections
of Household Goods

NOTICE OF OPPORTUNITY TO SUBMIT WRITTEN COMMENTS
(By Thursday, June 27, 2012)
and
NOTICE OF OPEN MEETING
(To be considered at the Thursday, July 12, 2012, Open Meeting)

RE: Review of Commission Published Household Goods Tariff 15-C
Docket TV-120835

TO ALL INTERESTED PERSONS:

The Washington Utilities and Transportation Commission (Commission) will publish revisions to Tariff 15-C (Household Goods), with a proposed effective date of July 13, 2012. The Commission will consider the tariff changes proposed by Commission Staff at its regularly scheduled open meeting on July 12, 2012. In Docket TV-120835, Commission Staff is proposing changes to estimate form requirements to accommodate the use of electronic estimating technology. Under the proposed tariff changes, electronic estimates would not be required to contain the following elements if those elements were not applicable to the move associated with the estimate: overtime hours and charges, accessorial services and charges, storage services and charges, and packing and unpacking services and charges. Included as an attachment to this notice is the proposed revised Tariff 15-C Page 13 (Item 85).

WRITTEN COMMENTS

Written comments on the Tariff 15-C item must be filed with the Commission's Executive Director and Secretary either by electronic transmission as described below, or by mail or courier delivery to 1300 S. Evergreen Park Drive S.W., P.O. Box 47250, Olympia, Washington, 98504-7250, no later than **5:00 p.m., Thursday, June 27, 2012.**

REFERENCE C



ELECTRONIC COPIES

The Commission requests that any comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted via the Commission's Web portal at www.utc.wa.gov/e-filing, by electronic mail to the Commission's Records Center at records@utc.wa.gov, or by using the Commission's online comment form at <http://www.utc.wa.gov/consumers/Pages/publicComment.aspx>. Please include:

- The docket number of this proceeding (TV-120835).
- The commenting entity's name.
- The title and date of the comment or comments.

An alternative method for submitting comments is mailing or delivering an electronic copy to the Commission's Records Center on a compact disc in the document's native format, as well as .pdf Adobe Acrobat format. Include all of the information requested above. The Commission will post on its website all comments that are provided in electronic format. The website is located at www.utc.wa.gov.

OPEN MEETING

The Commission will consider the tariff change proposed by Commission Staff at its open meeting to be held on **Thursday, July 12, 2012**. Interested persons may present oral comments at that open meeting, which is scheduled to start at 9:30 a.m. The meeting will be held at the Commission's headquarters, Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

If you have questions about this notice or about this tariff revision, you may contact Rayne Pearson at rpearson@utc.wa.gov, or (360) 664-1111.

Sincerely,



DAVID W. DANNER
Executive Director and Secretary

Enclosures

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Amending)	DOCKET TV-120835
Washington Utilities and)	
Transportation Commission)	ORDER 01
Tariff 15-C, Relating to Intrastate)	
Transportation of Household Goods)	
.....)	ORDER APPROVING REVISIONS TO
)	TARIFF NO. 15-C

BACKGROUND

- 1 RCW 81.80.150 assigns certain duties and responsibilities to the Utilities and Transportation Commission (Commission) for tariffs that apply to intrastate transportation of household goods. These duties include amending, altering and reissuing tariffs when changes are approved by the Commission.

- 2 The Commission published Tariff 15-C, which applies to the intrastate transportation of household goods, effective February 1, 2008. The current docket, TV-120835, proposes to amend Tariff 15-C, Page 13 (Item 85), to allow carriers to use electronic estimating technology when performing visual inspections of household goods. The amendments to Tariff 15-C were requested June 14, 2012, by Commission Staff.

- 2 On June 14, 2012, the Commission issued a Notice of Opportunity to Submit Written Comments (Notice) in Docket TV-120835. The Notice described the proposed changes and asked for written comments no later than June 27, 2012. The Commission received two comments, one from James Tutton of the Washington Movers Conference, and one from Craig Loidhamer at United Moving & Storage. In Mr. Tutton's comments, he proposed changes to Item 85 that were substantially similar to Staff's proposed changes. Mr. Tutton also proposed changes to Item 95, which were beyond the scope of this revision. Mr. Tutton was advised to file a separate petition to address proposed changes to Item 95. In Mr. Loidhamer's comments, he proposed language that would allow carriers to electronically deliver forms to its customers. Staff presently interprets Tariff 15-C to allow the electronic exchange and delivery of forms between carriers and consumers.

REFERENCE D

3 Staff recommends that the Commission approve the revisions to Tariff 15-C, Page 13
(Item 85) as set forth in Attachment 1 to this Order.

FINDINGS AND CONCLUSIONS

- 4 (1) The Utilities and Transportation Commission is an agency of the State of
Washington required by statute to compile, publish and distribute tariffs
containing rates, charges, classifications, rules and regulations to be used by all
common carriers. RCW 81.80.150.
- 5 (2) This matter was brought before the Commission at its regularly scheduled meeting
on July 12, 2012.
- 6 (3) After review and giving due consideration, the Commission finds that the tariff
applying to the transportation of household goods in the state of Washington
should be amended as Commission Staff recommends.

ORDER

THE COMMISSION ORDERS:

- 7 (1) Effective July 13, 2012, the changes proposed to Tariff 15-C, attached to this order
and by this reference made a part of the order, is adopted for use by all carriers
transporting household goods in the state of Washington that are subject to
Commission regulation.

The Commissioners have delegated authority to the Secretary to enter this Order pursuant
to RCW 80.01.030 and WAC 480-07-904((1)(a)).

DATED at Olympia, Washington, and effective July 12, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary

Attachment 1: Revised Pages Proposed in TV-120835

Changes are identified in red-line.

ITEM 85 - ESTIMATES

1. Carriers must give customers a copy of the customer information required in WAC 480-15-620 at the same time as they provide an estimate.
2. Carriers must include the following elements in all binding and nonbinding estimates, even if those estimates are completed by the customer in electronic or hard-copy format:
 - a. Carrier's name, address, phone number, fax number (if any), and e-mail address (if any).
 - b. Whether the estimate is binding or nonbinding.
 - c. A space for the customer to sign or initial stating that the customer was provided a copy of the brochure "Your Guide to Moving in Washington State."
 - d. Customer's name, phone number and address.
 - e. Customer's contact person, if other than customer.
 - f. Origin, destination and any intermediate stops for the shipment.
 - g. A household goods cube sheet inventory of the items upon which the estimate is based and the estimated cubic footage for each item.
 - h. For long distance shipments, the estimated total weight of the shipment and an explanation of the formula used. The formula may not be based on less than seven pounds per cubic foot.
 - i. For local moves, the number of carrier personnel and vehicles that will be used, the number of hours each will be involved in the move and associated rates and charges.
 - j. For long distance moves, the mileage between the origin, destination and intermediate stops and associated rates and charges.
 - k. Overtime hours and charges, if applicable.
 - l. Third-party or accessorial services to be provided and associated charges, if applicable.
 - m. Charges for loss or damage protection coverage (valuation).
 - n. Storage to be provided and associated charges, if applicable.
 - o. Charges for packing and unpacking services, and for containers, if applicable.
 - p. For binding estimates, a statement that the estimate is a guarantee of the cost of the move and that the carrier will not charge above the estimated charges without preparing a supplemental estimate.
 - q. For nonbinding estimates, the following information:
 - i. The estimate is not binding.
 - ii. The cost of the move may exceed the estimate.
 - iii. The carrier must release the shipment to a customer upon payment of no more than 110 percent of the estimate. Carriers must allow customers at least 30 days from the date of delivery to pay amounts in excess of the 110 percent.
 - iv. The customer is not required to pay more than 125 percent of the estimate regardless of the total cost unless the carrier issues and the customer accepts a supplemental estimate. (The 125 percent does not include any finance-related charges the carrier may assess for extending credit, such as interest or late payment fees.)