

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

ALL STAR TRANSFER, LARON  
WILLIAMS INC.; AMERICAN  
MOVING CO. INC.; BENS MOVING &  
DELIVERY SERVICES, INC.;  
CREECH AND SON LLC; LISHU CUI;  
BENJAMIN LEO FISHER; FRIENDS &  
FAMILY MOVING & STORAGE, INC.;  
GIGANTIC MOVING & STORAGE  
LLC; LINCOLN MOVING &  
STORAGE COMPANY, INC.; SPEEDY  
DELIVERY LLC; STAR MOVING &  
STORAGE INC.; URBAN DELIVERY  
SERVICE, LLC,

Respondents.

DOCKET TV-170902

COMPLAINT FOR CANCELLATION  
OF PERMIT FOR FAILURE TO PAY  
REGULATORY FEES AND FAILURE  
TO FILE ANNUAL REPORT; and

NOTICE OF HEARING  
**(Set for October 17, 2017, at 9 a.m.)**

- 1 **Synopsis:** *The Commission seeks cancellation of the permits of household goods carriers that have failed to pay regulatory fees as required by RCW 81.80.321 and failed to file an annual report as required by RCW 81.04.080.*
- 2 **Proceedings:** Household goods carriers holding a permit from the Washington Utilities and Transportation Commission (Commission) must file annual reports setting forth company operations during the preceding year. In addition, these household goods carriers must pay annual regulatory fees to the Commission. Annual reports and regulatory fees are due on or before May 1.
- 3 Each year, in advance of this deadline, the Commission distributes annual report forms to all household goods carrier permit holders. Incorporated into the annual report form is a

regulatory fee calculation schedule, which provides companies with step-by-step assistance in calculating their regulatory fees.

4 On February 28, 2017, the Commission mailed an annual report form to the address on record with the Commission for each household goods carrier permit holder, including: All Star Transfer, Laron Williams Inc.; American Moving Co. Inc.; Bens Moving & Delivery Services, Inc.; Creech and Son LLC; Lishu Cui; Benjamin Leo Fisher; Friends & Family Moving & Storage, Inc.; Gigantic Moving & Storage LLC; Lincoln Moving & Storage Company, Inc.; Speedy Delivery LLC; Star Moving & Storage Inc.; Urban Delivery Service, LLC (collectively “the Companies”). A search of Commission records indicates that each of the thirteen Companies failed to file an annual report (or a complete annual report) and remit a regulatory fee (if applicable).<sup>1</sup> Accordingly, Commission Staff (Staff)<sup>2</sup> asks the Commission to issue this Complaint seeking cancellation of each company’s permit for violation of the reporting and regulatory fee requirements of RCW 81.80.321, RCW 81.04.080, and WAC 480-15-480.

### I. COMPLAINT

5 The Commission on its own motion, and through its Staff, alleges as follows:

6 Public service companies must file an annual report with the Commission. RCW 81.04.080.

7 Public service companies include every common carrier, and household goods carriers are common carriers. RCW 81.04.010.

8 Household goods carriers must remit to the Commission an annual regulatory fee of no more than one quarter of one percent of its gross income from intrastate operations for the previous calendar year. RCW 81.80.321.

9 The Commission is expressly empowered to issue rules and regulations governing household goods carriers. RCW 81.04.160.

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<sup>1</sup> Creech and Son LLC filed an incomplete annual report and has not remitted a regulatory fee.

<sup>2</sup> In formal proceedings, such as this, the Commission’s regulatory Staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners’ policy and accounting advisors do not discuss the merits of this proceeding with the regulatory Staff, or any other party, without giving notice and opportunity for all parties to participate. *See* RCW 34.05.455.

- 10 The Commission distributes by mail annual report forms and instructions to each household goods permit holder at its address on record with the Commission. If a carrier does not receive an annual report form, it is the carrier's responsibility to contact the Commission and request the form. WAC 480-15-480.
- 11 Annual reports and regulatory fees are due no later than May 1 of the year following the year being reported. WAC 480-15-480.
- 12 The Commission may cancel a household goods carrier permit for good cause, including failure to submit an annual report or failure to pay regulatory fees. WAC 480-15-450.
- 13 Staff conducted its yearly compliance review of annual report and regulatory fee submissions for household goods carriers holding permits from the Commission. This review generated a list of companies that had failed to pay regulatory fees or failed to submit annual reports (or complete annual reports). Those companies that still have not paid regulatory fees or filed annual reports (or complete annual reports) are named as respondents in this complaint.
- 14 All Star Transfer, Laron Williams Inc. (All Star Transfer) is a public service company as defined in RCW 81.04.010. All Star Transfer holds authority to transport household goods in the state of Washington for compensation. From the Commission's files and records, it appears that All Star Transfer failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 15 American Moving Co. Inc. (American Moving) is a public service company as defined in RCW 81.04.010. American Moving holds authority to transport household goods in the state of Washington for compensation. From the Commission's files and records, it appears that American Moving failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 16 Bens Moving & Delivery Services, Inc. (Bens Moving) is a public service company as defined in RCW 81.04.010. Bens Moving holds authority to transport household goods in the state of Washington for compensation. From the Commission's files and records, it appears that Bens Moving failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 17 Creech and Son LLC (Creech and Son) is a public service company as defined in RCW 81.04.010. Creech and Son holds authority to transport household goods in the state of Washington for compensation. From the Commission's files and records, it appears that

Creech and Son failed to pay regulatory fees and file a complete annual report, which were due on May 1, 2017.

- 18 Lishu Cui is a public service company as defined in RCW 81.04.010. Lishu Cui holds authority to transport household goods in the state of Washington for compensation. From the Commission's files and records, it appears that Lishu Cui failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 19 American Moving Co. Inc. (American Moving) is a public service company as defined in RCW 81.04.010. American Moving holds authority to transport household goods in the state of Washington for compensation. From the Commission's files and records, it appears that American Moving failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 20 Benjamin Leo Fisher is a public service company as defined in RCW 81.04.010. Benjamin Leo Fisher holds authority to transport household goods in the state of Washington for compensation. From the Commission's files and records, it appears that Benjamin Leo Fisher failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 21 Friends & Family Moving & Storage, Inc. (Friends & Family) is a public service company as defined in RCW 81.04.010. Friends & Family holds authority to transport household goods in the state of Washington for compensation. From the Commission's files and records, it appears that Friends & Family failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 22 Gigantic Moving & Storage LLC (Gigantic Moving) is a public service company as defined in RCW 81.04.010. Gigantic Moving holds authority to transport household goods in the state of Washington for compensation. From the Commission's files and records, it appears that Gigantic Moving failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 23 Lincoln Moving & Storage Company, Inc. (Lincoln Moving) is a public service company as defined in RCW 81.04.010. Lincoln Moving holds authority to transport household goods in the state of Washington for compensation. From the Commission's files and records, it appears that Lincoln Moving failed to pay the regulatory fees and file the annual report due on May 1, 2017.

- 24 Speedy Delivery LLC (Speedy) is a public service company as defined in RCW 81.04.010. Speedy holds authority to transport household goods in the state of Washington for compensation. From the Commission’s files and records, it appears that Speedy failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 25 Star Moving & Storage Inc. (Star Moving) is a public service company as defined in RCW 81.04.010. Star Moving holds authority to transport household goods in the state of Washington for compensation. From the Commission’s files and records, it appears that Star Moving failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 26 Urban Delivery Service, LLC (Urban Delivery) is a public service company as defined in RCW 81.04.010. Urban Delivery holds authority to transport household goods in the state of Washington for compensation. From the Commission’s files and records, it appears that Urban Delivery failed to pay the regulatory fees and file the annual report due on May 1, 2017.
- 27 In sum, the foregoing thirteen Companies have failed to remit regulatory fees (if applicable) and file annual reports (or complete annual reports).

**II. REQUEST FOR RELIEF**

- 28 Staff asks the Commission to find that the Companies failed to comply with RCW 81.80.321, RCW 81.04.080, and WAC 480-15-480 by failing to pay regulatory fees and file annual reports (or complete annual reports).
- 29 Staff requests that the Commission, pursuant to its authority in WAC 480-15-450, cancel the permits of the respondent household goods carriers.

**III. PROBABLE CAUSE**

- 30 Based on a review of Commission Staff’s investigation report of Commission records pertaining to the submission of annual reports and regulatory fees by household goods carriers, and consistent with RCW 80.01.060 and WAC 480-07-307, the Commission finds probable cause exists to issue this Complaint.

**IV. NOTICE OF HEARING**

31 **NOTICE IS HEREBY GIVEN that a hearing in this matter will be held on October 17, 2017, at 9 a.m., in Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** If you are unable to attend the hearing in person, you may attend via the Commission’s teleconference bridge line at **360-664-3846**. Please appear on the teleconference bridge five minutes before the conference is scheduled to begin.

32 The Commission will hear this matter under the Administrative Procedure Act (APA), RCW chapter 34.05,<sup>3</sup> and pursuant to the Commission’s procedural rules in WAC chapter 480-07.<sup>4</sup> The Commission has jurisdiction over this matter pursuant to RCW chapters 80.01, 81.04, and 81.80,<sup>5</sup> and under WAC 480-15.<sup>6</sup>

33 **THE COMMISSION GIVES FURTHER NOTICE that any party who fails to attend or participate in the hearing set by this notice, or any other stage of this proceeding, may be held in default in accordance with RCW 34.05.440 and WAC 480-07-450.**

34 If any party or witness needs an interpreter or other assistance, please fill out the form attached to this notice and return it to the Commission.

35 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
PO Box 47250

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<sup>3</sup> Applicable sections include but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.434, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452.

<sup>4</sup> Applicable sections include but are not limited to WAC 480-07-140, WAC 480-07-150, WAC 480-07-305, WAC 480-07-365, WAC 480-07-440, WAC 480-07-450, WAC 480-07-470, WAC 480-07-490, and WAC 480-07-495.

<sup>5</sup> Applicable sections include but are not limited to RCW 80.01.040, RCW 81.04.080, RCW 81.04.110, RCW 81.80.130, RCW 81.80.280, RCW 81.80.290, RCW 81.80.321, and RCW 81.80.330.

<sup>6</sup> Applicable sections include but are not limited to WAC 480-15-145, WAC 480-15-450, and WAC 480-15-480.

Olympia, WA 98504-7250  
(360) 664-1160

Representative: Jennifer Cameron-Rulkowski  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
PO Box 40128  
Olympia, WA 98504-0128  
(360) 664-1186

Respondent: All Star Transfer, Laron Williams Inc.  
24111 Hwy 99, Suite 303  
Edmonds, WA 98026

Respondent: American Moving Co. Inc.  
3172 W. Seltice Way  
Post Falls, ID 83854

Respondent: Bens Moving & Delivery Services, Inc.  
11544 Greenwood Ave N Unit #1  
Seattle, WA 98133

Respondent: Creech and Son LLC  
1802 W. 12th Street  
Port Angeles, WA 98363

Respondent: Lishu Cui  
15205 140th Way SE, Apt. E202  
Renton, WA 98058

Respondent: Benjamin Leo Fisher  
5657 11th Ave. NE  
Seattle, WA 98105

Respondent: Friends & Family Moving & Storage, Inc.  
11914 SE 206th St.  
Kent, WA 98031

Respondent: Gigantic Moving & Storage LLC  
2859 S. 244th St.  
Kent, WA 98031

Respondent: Lincoln Moving & Storage Company, Inc.  
8420 S. 190th St.  
Kent, WA 98031

Respondent: Speedy Delivery LLC  
1830 Terminal Drive  
Richland, WA 99354

Respondent: Star Moving & Storage, Inc.  
3625 S. Warner St.  
Tacoma, WA 98409

Respondent: Urban Delivery Service, LLC  
301 South Webster  
Seattle, WA 98108

36 Administrative Law Judge Rayne Pearson from the Utilities and Transportation Commission's Administrative Law Division, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250, will preside at the hearing.

37 Notice of any other procedural phase will be given in writing or on the record as the Commission may deem appropriate during the course of this proceeding.

DATED at Olympia, Washington, and effective September 7, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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GREGORY J. KOPTA  
Director, Administrative Law Division

Inquiries may be addressed to:

Executive Director and Secretary  
Washington Utilities and  
Transportation Commission  
Richard Hemstad Building  
1300 S. Evergreen Park Drive S.W.  
P. O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

**NOTICE**

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and, if limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Steven V. King, 1300 S. Evergreen Park Drive SW, P.O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket: \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired: (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter?

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone No.: (\_\_\_\_\_) \_\_\_\_\_