

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of  
  
JOY MOVING COMPANY, INC.  
  
For Compliance with WAC 480-15-560 and  
WAC 480-15-570

DOCKET TV-200312  
  
NOTICE OF INTENT TO CANCEL  
PERMIT AS A HOUSEHOLD GOODS  
CARRIER  
  
NOTICE OF BRIEF ADJUDICATIVE  
PROCEEDING; SETTING TIME FOR  
ORAL STATEMENTS  
**(Set for May 20, 2020, at 9:30 a.m.)**

- 1 Pursuant to RCW 81.80.130, the Washington Utilities and Transportation Commission (Commission) has authority to regulate common carriers, including household goods carriers, with respect to safety of operations. WAC 480-15-450 provides that the Commission may cancel a household goods carrier’s permit and operating authority for good cause, including where the carrier fails to comply with safety requirements. Commission staff (Staff) recommends that the Commission cancel the permit of Joy Moving Company, Inc., (Joy Moving or Company) for good cause due to the Company’s ongoing failure to comply with applicable laws and Commission rules pertaining to operation of household goods carriers, including safety requirements set in law or rule.
- 2 WAC 480-15-999 adopts by reference Title 49 of the Code of Federal Regulations (C.F.R.), pertaining to safety requirements for household goods carriers. WAC 480-15-560 specifically requires carriers to comply with 49 C.F.R. Part 385. 49 C.F.R. § 385.13 prohibits motor carriers from operating beginning on the 61st day after the date of a notice of proposed unsatisfactory rating. Pursuant to 49 C.F.R. § 385.17, a carrier that receives a proposed unsatisfactory or conditional safety rating may request a change in its safety rating based on evidence that the company has taken corrective actions to address the identified violations, and that the company’s operations currently meet the safety fitness standards.
- 3 On July 13, 2018, the Commission granted the Company a provisional household goods carrier permit.
- 4 On March 3, 2020, Staff conducted an investigation of Joy Moving’s compliance with the safety requirements in WAC 480-15. As a result of the compliance investigation, Staff documented 68 safety rule violations and proposed an unsatisfactory safety rating for the Company. Staff notified the Company of this proposed rating on April 1, 2020.
- 5 Under the circumstances presented in this case, the Commission determines that it will afford Joy Moving the opportunity to provide evidence, in the form of an approved safety management plan, showing that the Company has taken corrective action to address the

identified violations. Joy Moving must come into compliance with applicable laws by obtaining Commission approval of a safety management plan no later than May 31, 2020. If the Company fails to come into compliance by that date, the Commission will cancel its household goods carrier permit effective June 1, 2020. Thereafter, as an unregistered company, Joy Moving would be prohibited from providing household goods carrier services in the state of Washington.

6 **THE COMMISSION GIVES NOTICE: That it intends to cancel the permit and authority of Joy Moving to provide services as a household goods carrier effective June 1, 2020, for cause, following a hearing on the factual allegations set out above, unless the Company obtains Commission approval of a safety management plan prior to that date.**

7 The Company has the right to request a hearing in this matter. Due to the short time-frame determined by the upcoming deadline, and pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission schedules a hearing on its own initiative and determines that a brief adjudicative proceeding is appropriate to determine whether the Commission should cancel Joy Moving's provisional household goods carrier permit.

**THE COMMISSION GIVES FURTHER NOTICE: That it will hold a brief adjudicative proceeding in this matter at 9:30 a.m. on May 20, 2020, in the Commission's Richard Hemstad Hearing Room, 621 Woodland Square Loop SE, Lacey, Washington.**

8 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.

9 Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide on its website, [www.utc.wa.gov](http://www.utc.wa.gov), copies of documents in the current record for use by the parties or others who may want to review them.

10 **Joy Moving must submit its proposed safety management plan no later than 5:00 p.m. on May 13, 2020.** Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file those documents with the Commission along with a list enumerating and labeling such documents **no later than 5 p.m. on May 13, 2020**, and simultaneously provide electronic copies to all other parties and the presiding administrative law judge. Filing shall be in accordance with WAC 480-07-140.

11 **THE COMMISSION GIVES NOTICE: That any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

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

Commission: Washington Utilities and  
Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

Representative: Daniel J. Teimouri  
Assistant Attorney General  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1189  
[daniel.teimouri@utc.wa.gov](mailto:daniel.teimouri@utc.wa.gov)

Respondent: Joy Moving Company, Inc.  
1100 Eagle Ridge Drive S.  
Unit D  
Renton, WA 98055  
[joymoving456@gmail.com](mailto:joymoving456@gmail.com)

13 Administrative Law Judge Michael Howard, from the Commission's Administrative Law Division, will preside during this proceeding.<sup>1</sup>

DATED at Lacey, Washington and effective April 13, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON  
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary  
Washington Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

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<sup>1</sup> Judge Howard can be reached by email at [Michael.howard@utc.wa.gov](mailto:Michael.howard@utc.wa.gov) or by phone at (360) 664-1139.

**NOTICE**

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, 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.

If you need an interpreter, or have other special needs, please fill out and return this form to:

Washington Utilities and Transportation Commission  
Attention: Mark L. Johnson  
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 (\_\_\_\_\_) \_\_\_\_\_