

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of  
  
NEW HORIZONS MOVING LLC  
  
For Compliance with WAC 480-15-560  
and WAC 480-15-570

DOCKET TV-201010  
  
NOTICE OF INTENT TO CANCEL  
PERMIT AS A HOUSEHOLD GOODS  
CARRIER  
  
NOTICE OF BRIEF ADJUDICATIVE  
PROCEEDING; SETTING TIME FOR  
ORAL STATEMENTS  
**(Set for February 23, 2021, at 1:30  
p.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 when the carrier fails to comply with safety requirements. Commission staff (Staff) recommends that the Commission cancel the permit of New Horizon Moving LLC (New Horizons or Company) for good cause due to the Company’s ongoing failure to comply with applicable laws and Commission rules pertaining to the 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, and 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 February 14, 2018, the Commission granted the Company a provisional household goods carrier permit.

4 On December 30, 2020, Staff completed an investigation of New Horizons' compliance with the safety requirements in WAC 480-15. As a result of the compliance investigation, Staff documented 130 safety requirement violations and proposed an unsatisfactory safety rating for the Company. Staff notified the Company of this proposed rating on December 30, 2020.

5 New Horizons must come into compliance with applicable laws by obtaining Commission approval of a safety management plan no later than February 28, 2021. If the Company fails to come into compliance by that date, the Commission will cancel its household goods carrier permit effective March 1, 2021. Thereafter, as an unregistered company, New Horizons 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 New Horizons to provide services as a household goods carrier effective March 1, 2021, 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 Pursuant to WAC 480-15-450(2) the Commission will hold a hearing prior to cancelling a household goods permit for a company's failure to comply with applicable laws and commission rules pertaining to operations of household goods carriers, including safety requirements set in law or rule. Accordingly, the Commission determines that a brief adjudicative proceeding is appropriate to determine whether the Commission should cancel New Horizons' household goods carrier permit.

8 **THE COMMISSION GIVES FURTHER NOTICE: That it will hold a virtual brief adjudicative proceeding in this matter at 1:30 p.m. on February 23, 2021. To attend the hearing by telephone, please call (253) 372-2181 and enter the conference ID: 923 399 368#. To attend via Microsoft Teams, please use the following link: [Click here to join the meeting.](#)**

9 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.

10 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.

- 11 **New Horizons must submit its proposed safety management plan no later than 5 p.m. on February 9, 2021.** Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must electronically file any such documents with the Commission a list enumerating and describing any such documents **no later than 5 p.m. on February 16, 2021.** Filing shall be in accordance with WAC 480-07-140.
- 12 **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.**
- 13 The names and mailing addresses of all known parties and their known representatives are as follows:

Commission:	Washington Utilities and Transportation Commission P.O. Box 47250 Olympia, WA 98504-7250 (360) 664-1160
Representative:	Joe M. Dallas Assistant Attorney General Office of the Attorney General P.O. Box 40128 Olympia, WA 98504-0128 (360) 664-1186 <a href="mailto:joe.dallas@utc.wa.gov">joe.dallas@utc.wa.gov</a>
Respondent:	New Horizons Moving LLC 1002 South 140 <sup>th</sup> Street Burien WA, 98168 (206) 783-8071 <a href="mailto:newhorizonsmoving@gmail.com">newhorizonsmoving@gmail.com</a>
Representative:	Unknown

14 Administrative Law Judge Rayne Pearson, from the Commission's Administrative Law Division, will preside during these proceedings.<sup>1</sup>

DATED at Olympia, Washington, and effective January 14, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON  
Executive Director and Secretary

Inquiries may be addressed to:

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

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<sup>1</sup> Judge Pearson can be reached at (360) 664-1136 or rayne.pearson@utc.wa.gov.

**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 (\_\_\_\_\_) \_\_\_\_\_