

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

AMERICAN MOVING CO. INC.,
BECKER TRUCKING INC.,
ESTABLISHED MOVING & STORAGE
OF EVERETT, INC., ESTABLISHED
MOVING & STORAGE OF SPOKANE,
INC., HELP-U-MOVE, INC., HURLEY
PIANO SERVICES, LLC, IN & OUT
MOVERS LLC, IRON MOUNTAIN
INFORMATION MANAGEMENT
SERVICES, INC., MIRACLE MAN
MOVERS LLC, MOVE FOR LESS LLC,
MOVE ME DO, LLC, MOVER FOR YOU
LLC, PARTNERS TRANSPORT, INC.,
SAENZ, ABRAHAM, SMART MOVE
LLC, SOUTH SOUND MOVING LLC,
SUNNY SIDE MOVING LLC, WHIDBEY
LOGISTICS, LLC,

Respondents.

DOCKET TV-220874

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

NOTICE OF BRIEF
ADJUDICATIVE
PROCEEDING; SETTING
TIME FOR ORAL
STATEMENTS
**(Set for January 11, 2023,
at 1:30 p.m.)**

- 1 The Washington Utilities and Transportation Commission (Commission), on its own motion, and through its regulatory staff (Staff), alleges as follows:

I. PARTIES

- 2 The Commission is an agency of the state of Washington authorized by statute to regulate the rates, services, facilities, and practices of public service companies, including household goods carriers.

- 3 Becker Trucking Inc. (Becker) is a Washington corporation that engages in business as a household goods carrier under Commission-issued permit HG004897.
- 4 Established Moving & Storage Everett, Inc. (Established Everett) is a Delaware corporation that engages in business as a household goods carrier in Washington under Commission-issued permit HG068395.
- 5 Established Moving & Storage Spokane, Inc. (Established Spokane) is a Delaware corporation that engages in business as a household goods carrier in Washington under Commission-issued permit THG068763.
- 6 Help-U-Move, Inc. (Help-U) is a Washington corporation that engages in business as a household goods carrier under Commission-issued permit HG011855.
- 7 Hurley Piano Services, LLC (Hurley) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG057201.
- 8 In & Out Movers LLC (In & Out) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG069629.
- 9 Iron Mountain Information Management Services, Inc. (Iron Mountain) is a Delaware corporation that engages in business as a household goods carrier under Commission-issued permit HG068526.
- 10 Miracle Man Movers LLC (Miracle Man) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG068778.
- 11 Move for Less LLC (Move for Less) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG067660.
- 12 Move Me Do LLC (Move Me Do) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG070086
- 13 Mover For You LLC (Mover For You) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit HG068368.
- 14 Partners Transport, Inc. (Partners) is an Idaho corporation that engages in business as a household goods carrier under Commission-issued permit HG060566.¹

¹ The Secretary of State's website lists Partners' business status as terminated.

- 15 Saenz, Abraham (Saenz) is an Oregon limited liability company that engages in business as a household goods carrier under Commission-issued permit THG069593.²
- 16 Smart Move LLC (Smart Move) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG069126.³
- 17 South Sound Moving LLC (South Sound) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit THG068620.
- 18 Sunny Side Moving LLC (Sunny Side) is a Michigan limited liability company that engages in business as a household goods carrier in under Commission-issued permit HG068560.
- 19 Whidbey Logistics LLC (Whidbey) is a Washington limited liability company that engages in business as a household goods carrier under Commission-issued permit HG032768.

II. BACKGROUND

- 20 Each household goods carrier must file an annual report with the Commission describing its operations. Each carrier must file this report by May 1 of the year following the year covered by the report.
- 21 The Commission emails a link to the household goods carrier annual report forms and instructions to each household goods carrier permit holder at its address on record with the Commission. If a carrier does not receive the link to the form, it is the carrier's responsibility to independently access the form online or contact the Commission and request the form.
- 22 Each household goods carrier must also remit to the Commission regulatory fees intended to cover the cost of regulating the household goods industry. The fee is fixed by rule as a percentage of a household goods carrier's annual intrastate gross operating revenues. Each carrier must remit these fees to the Commission by May 1 of the year following the year for which the carrier is paying fees.
- 23 Staff conducted its 2022 annual 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 have failed to pay regulatory fees or failed to submit annual reports (or complete annual reports).

² The Oregon Secretary of State's website lists Saenz's business status as administratively dissolved.

³ The Washington Secretary of State's website lists Smart Move's business status as administratively dissolved.

- 24 The Commission's files and records indicate that American Moving failed to pay the regulatory fees due on May 1, 2022.
- 25 The Commission's files and records indicate that Becker failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 26 The Commission's files and records indicate that Established Everett failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 27 The Commission's files and records indicate that Established Spokane failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 28 The Commission's files and records indicate that Help-U failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 29 The Commission's files and records indicate that Hurley failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 30 The Commission's files and records indicate that In & Out failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 31 The Commission's files and records indicate that Iron Mountain failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 32 The Commission's files and records indicate that Miracle Man failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 33 The Commission's files and records indicate that Move for Less failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 34 The Commission's files and records indicate that Move Me Do failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 35 The Commission's files and records indicate that Mover For You failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 36 The Commission's files and records indicate that Partners failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 37 The Commission's files and records indicate that Saenz failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 38 The Commission's files and records indicate that Smart Move failed to pay the regulatory fees and file the annual report due on May 1, 2022.
- 39 The Commission's files and records indicate that Sunny Side failed to pay the regulatory fees and file the annual report due on May 1, 2022.

40 The Commission's files and records indicate that Whidbey failed to pay the regulatory fees and file the annual report due on May 1, 2022.

III. JURISDICTION

41 The Commission has jurisdiction over the subject matter of this complaint under chapter 34.05 RCW, RCW 80.01.040, RCW 80.01.060, RCW 81.01.010, RCW 81.04.010, RCW 81.04.020, RCW 81.04.080, RCW 81.04.110, RCW 81.04.460, RCW 81.80.321, WAC 480-07-610, WAC 480-15-450, and WAC 480-15-480.

III. APPLICABLE LAW

42 The Commission regulates public service companies pursuant to a delegation of authority from the legislature. See RCW 80.01.040(2); RCW 81.01.010.

43 Household goods carriers are common carriers. RCW 81.04.010(11). Every common carrier is a public service company. RCW 81.04.010(16).

44 Each common carrier must file with the Commission an annual report in the form prescribed by the Commission. RCW 81.04.080(1), (4); WAC 480-15-480(1). Every carrier must file its annual report by May 1 based on the prior year's operations. WAC 480-15-480(4).

45 Failing to file an annual report subjects the common carrier to cancellation or revocation of its operating authority. RCW 81.04.080(2)(b); WAC 480-15-480(4)(b).

46 Each household goods carrier must pay a regulatory fee of 0.25 percent of its gross income from intrastate operations for each calendar year. RCW 81.80.321; WAC 480-15-480(3), (4). Carriers must pay regulatory fees by May 1 based on the prior year's operations. WAC 480-15-480(4).

47 Failing to pay regulatory fees subjects a household goods carrier to cancellation of its permit. WAC 480-15-450(1)(a), -480(4)(b).

IV. REQUEST FOR RELIEF

48 Staff requests that the Commission find that the named respondents 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), or both.

49 Staff requests that the Commission cancel the permits of the respondent household goods carriers pursuant to its authority under WAC 480-15-450(1)(a) and WAC 480-15-450.

V. PROBABLE CAUSE

50 Based on a review of the Declaration of Rachel Stark, and consistent with RCW 80.01.060 and WAC 480-07-307, the Commission finds probable cause exists to issue this Complaint.

VI. NOTICE OF BRIEF ADJUDICATIVE PROCEEDING

51 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 the named respondents' household goods carrier permits for failure to file an annual report or pay regulatory fees, or for failing to do either, following a hearing on the factual allegations set out above.

52 **THE COMMISSION GIVES FURTHER NOTICE That it will hold a virtual brief adjudicative proceeding in this matter at 1:30 p.m., January 11, 2022. To attend the hearing by telephone, please call (253) 215-8782 and enter the Meeting ID: 851 6976 2129# and Passcode: 377477#. To attend via Zoom, please use the following link: [Click to Join Meeting](#).**

53 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.

54 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 at its offices in Lacey, Washington, copies of documents in the current record for use by the parties or others who may want to review them.

55 **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.**

56 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.

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

Complainant: Washington Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98504

Representative: Jeff Roberson
Assistant Attorney General
PO Box 40128

Olympia, WA 98504-0128
(360) 522-0614
jeff.roberson@utc.wa.gov

- Respondent: American Moving Co. Inc.
Mary Higginson, Registered Agent
508 Cromwell
Colfax, WA 99111
- Respondent: Becker Trucking Inc.
David Grant, Registered Agent
4178 El Cimo Ln. NE
Bainbridge Island, WA 98110-4042
- Respondent: Established Moving & Storage Everett, Inc.
Corporation Service Company, Registered Agent
300 Deschutes Way SW, Suite 208 MC-CSC1
Tumwater, WA 98501
- Respondent: Established Moving & Storage Spokane, Inc.
Corporation Service Company, Registered Agent
300 Deschutes Way SW, Suite 208 MC-CSC1
Tumwater, WA 98501
- Respondent: Help-U-Move, Inc.
Steven Schwan, Registered Agent and Governor
3416 N. 4th Ave.
Pasco, WA 99301
- Respondent: Hurley Piano Services, LLC
Michael Hurley, Registered Agent and Governor
18510 E. 19th Ave.
Greenacres, WA 99016-7830
- Respondent: In & Out Movers LLC
United States Corporation Agents Inc., Registered Agent
14205 SE 36th St., Suite 100
Bellevue, WA 98006-1596
- Respondent: Iron Mountain Information Management Services, Inc.
Corporation Service Company, Registered Agent
300 Deschutes Way SW, Suite 208 MC-CSC1
Tumwater, WA 98501
- Respondent: Miracle Man Movers LLC
Christopher Bullock, Registered Agent and Governor
14602 NE Fourth Plain Blvd., Suite J,

Vancouver, WA 98682-5000

Respondent: Move for Less LLC
Yuriy Deyneka, Registered Agent and Governor
240 SW 325th Pl.
Federal Way, WA 98023-5638

Respondent: Move Me Do LLC
Salamat Alshyn, Registered Agent and Governor
8303 NE 147th Pl.
Kenmore, WA 98028-4737

Respondent: Mover For You, LLC
Liberty NW Accounting Services
23403 E. Mission Ave., Suite 108
Liberty Lake, WA 99019-7625

Respondent: Partners Transport, Inc.
Representative Unknown
5073 N. Building Center Dr.
Coeur d. Alene, ID 83815

Respondent: Saenz, Abraham
P.O. Box 359
Hermiston, OR 97838

Respondent: Smart Move LLC
Jennifer Truong, Registered Agent and Governor
427 S. King St.
Airway Heights, WA 99001-5154

Respondent: Sunny Side Moving LLC
Joshua Queen, Registered Agent
111 N. Vista Rd., Suite 7EFG
Spokane Valley, WA 99212

Respondent: Whidbey Logistics LLC
Matthew Freeborn, Registered Agent and Governor
3815 226th Ave. E.
Buckley, WA 98321-0000

58 Administrative Law Rayne Pearson from the Utilities and Transportation Commission's
Administrative Law Division will preside at the hearing.⁴

59 Commission will give parties notice of any other procedural phase of the proceeding in

⁴ Judge Pearson may be reached by email at rayne.pearson@utc.wa.gov or by phone at (360) 664-1136.

writing or on the record, as appropriate during this proceeding

DATED at Olympia, Washington, and effective December 12, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Michael Howard
MICHAEL HOWARD
Administrative Law Judge

Inquiries may be addressed to:

Amanda Maxwell
Executive Director and Secretary
Washington Utilities and
Transportation Commission
621 Woodland Square Loop S.E.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearings are accessible to persons with disabilities and persons who do not speak English as a first language. 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.

If you need an interpreter, or have other special needs, please provide the information requested below via email to Paige Doyle, paralegal, at paige.doyle@utc.wa.gov:

(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: _____