

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of ROCKET TRANSPORTATION, LLC For Compliance with WAC 480-30-221	DOCKET TC-171023 <i>(Consolidated)</i> ORDER 02
In the Matter of the Penalty Assessment Against ROCKET TRANSPORTATION, LLC In the amount of \$7,000	DOCKET TC-171022 <i>(Consolidated)</i> ORDER 02 GRANTING PAYMENT ARRANGEMENT

BACKGROUND

- 1 On October 18, 2017, the Washington Utilities and Transportation Commission (Commission) issued a Notice of Intent to Cancel Certificate as an Auto Transportation Carrier and Notice of Brief Adjudicative Proceeding; Setting Time for Oral Statements in the Matter of the Investigation of Rocket Transportation, LLC (Rocket Transportation or Company) For Compliance with WAC 480-30-221 in Docket TC-171023 (Notice of Intent to Cancel).
- 2 Also on October 18, 2017, the Commission assessed a penalty of \$7,000 (Penalty Assessment) in Docket TC-171022 against Rocket Transportation for 71 violations of Washington Administrative Code (WAC) 480-30-221, which adopts by reference 49 Code of Federal Regulations (C.F.R.) Part 391.45(a) related to driver medical examination and certification, and 49 C.F.R. Part 391.51(b)(7) related to qualification file requirements.
- 3 On November 1, 2017, Rocket Transportation filed an application for mitigation of the penalty, requesting a hearing to present evidence demonstrating why the penalty should be mitigated.
- 4 On November 20, 2017, the Commission conducted a brief adjudicative proceeding before Administrative Law Judge Laura Chartoff. The parties agreed that the Commission should address the Penalty Assessment in Docket TC-171022 concurrently

with the Notice of Intent to Cancel in Docket TC-171023. Accordingly, the Commission consolidated Dockets TC-171022 and TC-171023.

5 On November 27, 2017, the Commission entered Order 01, Order of Consolidation; Order Upgrading Safety Rating; Order Imposing and Suspending Penalties (Order 01). Order 01 assessed a \$3,500 penalty against Rocket Transportation, LLC, and suspended a \$1,750 portion of the penalty for a period of two years, subject to the following conditions: 1) Rocket Transportation, LLC must maintain a “conditional” safety rating, 2) Rocket Transportation, LLC may not incur any repeat violations of Title 49 C.F.R., and 3) Rocket Transportation, LLC must either pay the \$1,750 portion of the penalty that is not suspended or file jointly with Staff a proposed payment plan within 10 days of the effective date of Order 01.

6 On November 29, 2017, Commission staff (Staff) filed a letter in this docket, explaining that the Company had contacted Staff directly and proposed a payment plan consisting of seven monthly payments, and that Staff supports the request. The proposed payment schedule is as follows:

January 2, 2018	\$100
February 1, 2018	\$100
March 1, 2018	\$100
April 2, 2018	\$200
May 1, 2018	\$400
June 1, 2018	\$400
July 2, 2018	\$450

7 Staff also proposes that if Rocket Transportation misses one payment, the entire balance will become due and payable immediately.

8 On December 26, 2018, Rocket Transportation made its first payment.

DISCUSSION

9 The Commission finds that the installment payment schedule Staff and the Company propose is reasonable. The Commission approves the proposal with the modification that Rocket Transportation may make additional payments in advance of the payment due dates or pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make timely monthly installments until the full amount is satisfied.

ORDER

THE COMMISSION ORDERS THAT:

- 10 (1) The \$1,750 penalty is due and payable to the Commission in installments according to the schedule set out in paragraph 6, above.
- 11 (2) If Rocket Transportation, LLC misses one payment, the entire balance will become due and payable immediately.
- 12 (3) Rocket Transportation, LLC may make additional payments in advance of the payment due dates or pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make timely monthly installments until the full amount is satisfied

DATED at Olympia, Washington, and effective January 5, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.