

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PROOF OF SERVICE

DOCKET NO. TV-971477

KNOW ALL PERSONS BY THESE PRESENTS That the undersigned, an employee of the Washington Utilities and Transportation Commission at Olympia, Washington, hereby certifies that a copy of the document referred to below was served on the parties of record in said proceeding in the following manner:

On the 9TH day of APRIL, 1998, a true copy of LETTER TO JAMES TUTTON FROM PAT DUTTON RE: REQUEST FOR WMC BOARD MEMBERS AND OTHER COMMENTS.

in the above-entitled cause now pending before the Commission was enclosed in an envelope addressed to each of the parties of record as set forth below. Each envelope was addressed to the address shown in the official files attached hereto, sealed with the required first-class postage thereon, and deposited on said date in the United States mail in the City of Olympia, County of Thurston, State of Washington.

PARTIES OF RECORD AND OTHERS RECEIVING NOTICE

Parties of Record on Filing: 971477
In-House Distribution List: TRAN.DIS
Faxed to James Tutton @253-838-1715
w/out last attachment
Distributed in-house w/ last attachment

73453 RC

JAMES R TUTTON JR
EXECUTIVE DIRECTOR
WASHINGTON MOVERS CONFERENCE
930 S. 336TH STREET STE B
FEDERAL WAY WA 98003



Katherine Hunter, Records Center Manager

000480

MESSAGE CONFIRMATION

SESSION NO. = 730

04/09/98 15:45
ID=WUTC

DATE	TIME	S,R-TIME	DISTANT STATION ID	MODE	PAGES	RESULT	
04/09	15:42	02'54"	12068381715	G3 -S	05	OK	0000

000481

FORMAL TRANSPORTATION ORDERS & LETTERS

Date served: 04/09/98 Docket No: TV-971477

Document: LETTER TO JAMES TUTTON FROM PAT DUTTON RE: REQUEST FOR WMC BOARD MEMBERS AND OTHER COMMENTS.

- | | | |
|---|--------------|--|
| <input type="checkbox"/> Final Transp. Subscription | <i>Schaw</i> | <input checked="" type="checkbox"/> Pat Dutton |
| <input checked="" type="checkbox"/> ALJ assigned? if no, 1 copy to LAPD | | <input checked="" type="checkbox"/> Penny Hansen |
| <input checked="" type="checkbox"/> Public Affairs | | <input checked="" type="checkbox"/> Comm. AAG's (2 copies if final) <i>Rundak</i> |
| <input checked="" type="checkbox"/> Gene Eckhardt | | <input checked="" type="checkbox"/> Policy Planning |
| <input checked="" type="checkbox"/> Vicki Elliott | | <input checked="" type="checkbox"/> Cathie Anderson |
| <input checked="" type="checkbox"/> Consumer Affairs assigned | | <input checked="" type="checkbox"/> Paul Curl |
| <input checked="" type="checkbox"/> Field (9 copies) | | <input checked="" type="checkbox"/> Bob Colbo (No Railroad) |
| <input checked="" type="checkbox"/> Rachel Porter | | <input checked="" type="checkbox"/> Bob Boston |
| <input checked="" type="checkbox"/> Gillis' Assistant | | <input checked="" type="checkbox"/> Shirley Burrell (Initial and Final Orders ONLY) |
| <input checked="" type="checkbox"/> Bonnie Allen | | <input type="checkbox"/> Financial Services (Instituting Invest. only or Penalty Assessment) |
| <input checked="" type="checkbox"/> Lead & Team | | |
| <input checked="" type="checkbox"/> Dixie Linnenbrink | | |
| _____ | | |
| _____ | | |
| _____ | | |

10-06-95



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 753-6423 • TTY (360) 586-8203

VIA FAX AND U.S. MAIL

April 9, 1998

James R. Tutton, Jr.
Executive Director
Washington Movers Conference
930 South 336th Street
Federal Way, Washington 98003

Dear Mr. ^{Jim}Tutton:

I have received your April 2 letter regarding the Household Goods Rulemaking. However, I have not received the list of Board members you agreed to send me during our April 2 telephone conversation.

As I understood your comments during the above telephone conversation you were going to talk to the WMC Board members on April 3 and recommend that they not participate in the April 14 stakeholders meeting because, among other reasons, you felt that WMC comments were "falling on deaf ears". During that conversation I attempted to persuade you that WMC members should stay involved in the process in order to have a better affect on the outcome. You were going to call me and let me know what the Board members had decided. I have not heard back from you in that regard.

First, let me assure you that your comments are not "falling on deaf ears". Your comments, and all other comments received, are being distributed, read and considered by the entire staff team associated with reviewing and making a recommendation to the Commission on the rulemaking. The written comments are also distributed to Commissioners and other appropriate staff. Your comments are in fact helpful to the process. For example, as I explain further below, we appreciate your bringing to our attention the lack of a definition of local cartage. Given the extensive reorganization and review of these rules, some provisions, including local cartage may have been inadvertently omitted. We will address this issue at the April 14 Stakeholder's Meeting.

Secondly, this second draft is just that "a draft". Its purpose is to open up discussion. It is subject to change based upon the information staff receives from the moving public, consumer groups, nonpermitted carriers, permitted carriers or any other party that wishes to participate in



James R. Tutton, Jr.
April 9, 1998
Page 3

The last two paragraphs of your letter did not come through the fax machine clearly and I have not received the hard copy yet. However, I can make out that you are asking where the impetus for the rulemaking is coming from - First, Executive Order 97-02 requires the agency to review rules for content and readability. Secondly, the Commission, consistent with its Strategic Plan, has directed staff to develop household goods rule which promote competition where it can protect the public interest at least as well as regulation; reform and improve regulations to be more efficient and increase consumer choice; eliminate regulations which are no longer needed to protect the public; and, clearly define consumer protection elements.

In our April 2 telephone conversation I provided you with several dates that the staff could be available to observe household goods operations, including dispatch, receiving goods into temporary or non-temporary storage and traveling to a residence to view a packing and loading job in progress. I am concerned that the dates I provided on April 2 are no longer available. Please get back in touch with me as soon as possible so we can attempt to schedule this visit. I believe it would be beneficial to both the industry and staff.

In closing, I would like to again encourage the WMC members to stay actively involved in the review and drafting of household goods rules. To that end, we have tentatively set aside May 15, 1998 to have a drafting session with interested persons.

Sincerely,

A handwritten signature in cursive script that reads "Patsy J. Dutton". The signature is written in black ink and is positioned above the typed name.

Patsy J. Dutton
Assistant Director - Operations

Attachment

Mr. Joe Harrison, President

March 6, 1998

Page 2

If you have questions regarding the Shurgard issue, please feel free to contact Cathie Anderson directly. She can be reached at (360) 664-1225. Additional comments concerning the rulemaking can be mailed to the address shown above, via facsimile to (360) 586-1150, or via e-mail to kim@wutc.wa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Patsy J. Dutton". The signature is fluid and somewhat stylized, with a large loop at the beginning of the first name.

Patsy J. Dutton

Assistant Director - Operations

B. The relaxing of entry guidelines for obtaining a permit will only foster the expansion of unsavory companies into the market place. One only needs to look at Florida, Texas or California for examples of the problems they are or have faced. And who suffers the most - the consumer whose goods have been picked-up and then held hostage as demands for increased payments are assessed or the goods never delivered at all!

What is a Tariff?, page 20.

A. A maximum rate tariff will not be in the best interest of the consumers within the State of Washington. A maximum rate tariff will only promote deep discounting among competing, permitted household goods carriers resulting in, over time, a degradation of provided services, the lowering of employee wages, the elimination of employee health and welfare benefits, the extension of vehicle replacement programs, and a shift to the use of untrained, intermittent casual employees or contract employees.

B. Is the Commission equipped, ready and willing to arbitrate 7 out of every 10 shipments that could involve inconvenience claims that involve late pick-ups or deliveries, claims for loss or damage, or complaints about related charges because the consumer conveniently did not understand the pricing structure or which type of estimate he was provided - a firm, "not to exceed" bid or simply a standard "estimate" based upon a visual inspection of the goods to be moved prior to the move day.

Are there any vehicle safety rules I do not need to follow if I am operating solely within the State of Washington?, page 26. I am having this section reviewed for accuracy.

Part 5.1, page 32. Are we eliminating the General Information for Shipper Form that is presently required to be presented to the customer?

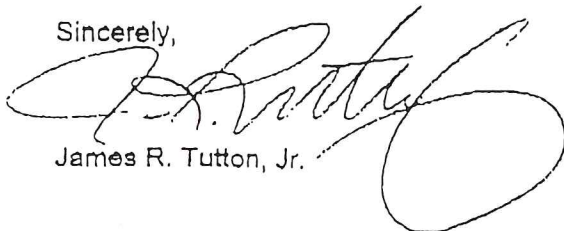
Part 5.2, pages 32-34. Are Estimates and Firm Bids used together? This section is very confusing!

I will be having an emergency meeting (telephonically) with the WMC Board of Directors on Friday, April 3, 1998, to discuss our future options regarding the Household Goods Rulemaking Process. It is really apparent thus far that our concerns about proposed changes to intrastate Household Goods Rules are falling on deaf ears.

The major concern we have is not understanding where the driving force to dismantle the Washington Intrastate Household Goods Moving Industry is coming from. From documents that I have reviewed, which you provided, it certainly is not from the shipping public. Its not from the professional moving industry. Where is the impetus coming from?

These comments are quickly prepared to provide you and your staff our concerns once again.

Sincerely,



James R. Tutton, Jr.