

VIA FAX

Date Received: April 2, 1998

Docket No.: TV-971477

Company: Amends WAC 480-12, Relating to Household Goods Movers

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James R. Tutton, Jr.
Executive Director

April 2, 1998

Ms Pat Dutton
Program Development, Transportation
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

Dear Pat,

Re: Draft 2, Household Goods Rulemaking, Docket No. TV-971477, dated March 27, 1998.

The above reference was received yesterday for review. I spent last evening reading and re-reading "Draft 2" so meaningful comments could be provided quickly in advance of the scheduled workshop on April 14, 1998.

The following comments will be identified as closely as possible to paragraph descriptions and page number in sequential order.

Definition - Household goods carrier, page 1. You identify transportation to and from a temporary storage facility but omit any reference to a permanent storage facility. Why are containerized shipments of household goods shipments excluded? This gives the appearance that large public storage facilities will be allowed to transport household goods from a residence to their facilities and return without the need of obtaining a household goods authority.

Definition - I see no definition for "local cartage".

Waiver of Rules, page 3. Any waiver of rules not fixed by statute must be allowed for all household goods carriers, not just the household goods carrier requesting the waiver.

Operation of equipment by a canceled or suspended carrier; voluntary cancellation; involuntary suspension and cancellation, pages 5, 6 and 7. The tone of this section is to weak and will result in the same problems the Commission faces today in enforcing permitted carriers and illegal carriers. Strongly suggest using the "will" versus "may". Either the Commission is going to enforce its rules or its not. Eliminate the "gray areas".

Parts 2.2 and 2.3, pages 10 - 16.

A. Request written explanation of the Commission's opinion that you have license to change the current guidelines for granting household goods authority from "public convenience and necessity" to "fit, willing and able" without legislative approval or concurrence.

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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?

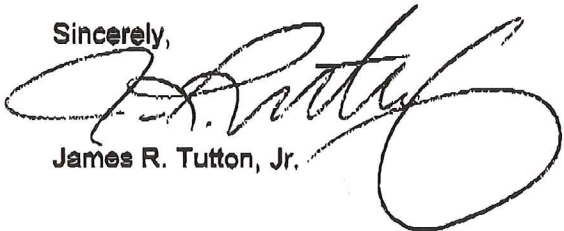
Part 5.2, pages 32-34. Are Estimates and Firm Bids used together? This section is very confusing!

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 Intrastate Household Goods Rulemaking Program. It is initially apparent thus far that our concerns about proposed changes to intrastate Household Goods Rules are falling on deaf ears.

The main concern we have is not understanding where the driving force to change into 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.