

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of	DOCKET TV-250137
LION MOVERS LLC.	ORDER 01
For Compliance with WAC 480-15-560	CANCELING PROVISIONAL PERMIT; AND ASSESSING PENALTY

**BACKGROUND**

- 1 Lion Movers LLC (Lion Movers or Company) is a Washington company engaging in business as a household goods carrier. The Company currently holds Commission-issued provisional permit number THG-070121 and USDOT Number 3668237. Under its provisional authority, it has traveled over 9,000 miles.
- 2 On January 25, 2022, the Company began operations under a provisional permit of authority as an intrastate household goods carrier.
- 3 On July 9, 2024, Commission staff (Staff) conducted a routine safety investigation of the Company’s compliance with chapter 480-15 Washington Administrative Code (WAC).<sup>1</sup>
- 4 On August 2, 2024, in Docket TV-240549, Staff filed a Penalty Assessment requesting to impose \$300 in penalties against the Company for the following violations:

One violation of WAC 480-15-555(1) for failure to complete a nationwide criminal background check for every person the carrier intends to hire;

Twenty-six violations of 49 C.F.R. § 395.8(a)(1) for failure to require a driver to prepare a record of duty status using the appropriate method;

<sup>1</sup> *In re Investigation of Lion Movers LLC*, Docket TV-240549, Notice of Intent to Cancel at ¶ 4 (August 5, 2024).

One violation of 49 C.F.R. § 396.3(a)(1) for brakes: defective brake(s) are equal to or greater than 20% of the service brakes on the vehicle.<sup>2</sup>

- 5 On August 5, 2024, in Docket TV-240549, Staff filed a Notice of Intent to Cancel notifying the Company that its temporary authority to operate would be cancelled if it did not obtain a Commission approved Safety Management Plan (SMP) and set the matter to be heard in a Brief Adjudicative Proceeding (First BAP) on September 12, 2024.<sup>3</sup>
- 6 On September 9, 2024, Staff received a SMP from the Company and on September 11, 2024, Staff filed an Evaluation of Safety Management Plan, in which Staff concluded that the Company had “taken corrective action to develop a compliant safety program and implemented systems that if followed, should prevent future repeat violations.”<sup>4</sup> Further, Staff found that the Company’s SMP met the legal requirements of 49 C.F.R. § 385 and requested, among other things, that the Commission cancel the BAP scheduled for September 12, 2024.<sup>5</sup>
- 7 On September 17, 2024, the Commission entered Order 01 (Order 01) Approving Safety Management Plan; Extending Conditional Status; With Conditions in Docket TV-240549. As part of Order 01, the Commission extended the Company’s provisional permit under a conditional safety rating until the Company achieved a satisfactory safety rating or until the Commission found good cause to cancel the Company’s operating authority.<sup>6</sup> The Commission conditioned the extension of the Company’s provisional permit on a follow up safety inspection at least six months after entry of Order 01, and upon the Company not incurring any repeat violations of critical<sup>7</sup> regulations upon

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<sup>2</sup> *In re Investigation of Lion Movers LLC*, Docket TV-240549, Notice of Penalties Incurred at ¶ 1-2 (August 2, 2024).

<sup>3</sup> *In re Investigation of Lion Movers LLC*, Docket TV-240549, Notice of Intent to Cancel at ¶ 7 (August 5, 2024).

<sup>4</sup> *In re Investigation of Lion Movers LLC*, Docket TV-240549, Evaluation of Safety Management Plan at ¶ 10 (September 11, 2024).

<sup>5</sup> *In re Investigation of Lion Movers LLC*, Docket TV-240549, Evaluation of Safety Management Plan at ¶ 10 (September 11, 2024).

<sup>6</sup> *In re Investigation of Lion Movers LLC*, Docket TV-240549, Order 01 at ¶ 30 (September 17, 2024).

<sup>7</sup> “Critical” regulations are those identified as such where non-compliance relates to management and operational controls. These are indicative of breakdowns in a company’s management controls. Patterns of non-compliance with a critical regulation are linked to inadequate safety management controls and higher than average accident rates. 49 C.F.R. § 385, Appendix B.II.c, e.

reinspection.<sup>8</sup> Further, the Commission assessed a penalty of \$300 on the Company, which the Company promptly paid on September 24, 2024.<sup>9</sup>

- 8 In March 2025, Staff completed a follow-up investigation after the Commission extended the Company's provisional operating authority in Docket TV-240549. Staff found that the Company had committed nine critical regulatory violations and one acute<sup>10</sup> regulatory violation, which Staff documented in an investigation report (Investigation Report) dated March 3, 2025.<sup>11</sup> Because of the regulatory violations discovered by Staff, the Company received a proposed conditional safety rating.<sup>12</sup>

- 9 As part of its March 2025 investigation, Staff found the following ten violations:

One acute violation of 49 C.F.R. § 390.35 for making or causing to make a fraudulent or intentionally false statement or record when the Company provided false, misleading, or inaccurate information following questioning of hours of service and national background check records;

Nine critical violations of 49 C.F.R. § 395.8(a)(1) for failing to require a driver to prepare a record of duty status using the appropriate method when the carrier failed to require the driver to make a record of duty status using the proper method. More specifically that no work time/administrative time was recorded and tracked for drivers on nine occasions.<sup>13</sup>

- 10 The Commission permitted the Company to submit an SMP describing the corrective actions it had taken. The Investigation Report provided detailed information to the Company on the steps necessary to prepare and submit the SMP. Although the Company

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<sup>8</sup> *In re Investigation of Lion Movers LLC*, Docket TV-240549, Order 01 at ¶ 30 (September 17, 2024).

<sup>9</sup> *In re Investigation of Lion Movers LLC*, Docket TV-240549, Order 01 at ¶ 31 (September 17, 2024); *In re Investigation of Lion Movers LLC*, Docket TV-240549, Statement of Accounting (September 27, 2024).

<sup>10</sup> 49 C.F.R. § 385, Appendix B.II.b. (stating that "Acute" regulations are those identified as a violation of a regulation where "noncompliance is so severe as to require immediate corrective actions by a motor carrier regardless of the overall safety posture of the motor carrier.")

<sup>11</sup> *In re Investigation of Lion Movers LLC*, Docket TV-250137, Notice of Intent to Cancel at ¶ 5 (March 31, 2025).

<sup>12</sup> *In re Investigation of Lion Movers LLC*, Docket TV-250137, Notice of Intent to Cancel at ¶ 5 (March 31, 2025).

<sup>13</sup> *In re Investigation of Lion Movers LLC*, Docket TV-250137, Investigation Report at 3 (March 3, 2025).

submitted three SMP drafts to the Commission, Staff found that the drafts were deficient and did not accept them.<sup>14</sup>

- 11 On March 31, 2025, the Commission issued a Notice of Intent to Cancel, Complaint for Penalties, Notice of Brief Adjudicative Proceeding; Setting Time for Oral Statements, which set a second Brief Adjudicative Proceeding (Second BAP) for April 25, 2025.
- 12 On April 25, 2025, the Commission convened the Second BAP before Administrative Law Judge Jessica Kruszewski. The Company owner, Almaz Nurmanbetov, appeared at the hearing representing the Company, and Staff appeared, represented by Assistant Attorney General Colin O'Brien.
- 13 Staff has recommended that the Commission cancel the Company's permit and authority to operate as a household goods carrier.<sup>15</sup> Further, Staff has recommended that the Commission impose a \$1,000 penalty on the Company for each violation discovered during the March 2025 compliance review inspection, for a total penalty of \$10,000.<sup>16</sup>
- 14 During the Second BAP, Staff testified that Mr. Nurmanbetov provided false or misleading statements in response to Staff's questions about hours of service and national background checks, which Staff witness Cobile identified as a pattern from the investigation in Docket TV-240549.<sup>17</sup> Further, Staff testified that the Company failed to require a driver to prepare a record of duty status, using the appropriate method.<sup>18</sup> Staff witness Cobile specified that the Company did not accurately report administrative time for employees.<sup>19</sup> Staff witness Cobile testified that when Staff inquired into why the Company failed to log administrative time, Mr. Nurmanbetov explained that administrative time was not logged because he hired an individual from Ukraine named Hussein Abbas as the scheduling and customer contact for the Company.<sup>20</sup> Mr. Nurmanbetov informed Staff witness Cobile that because Mr. Abbas was a contractor and

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<sup>14</sup> Sharp, TR at 42:4-7.

<sup>15</sup> *In re Investigation of Lion Movers LLC*, Docket TV-250137, Notice of Intent to Cancel at ¶ 9 (March 31, 2025).

<sup>16</sup> *In re Investigation of Lion Movers LLC*, Docket TV-250137, Notice of Intent to Cancel at ¶ 9 (March 31, 2025).

<sup>17</sup> Cobile, TR at 16:3-5.

<sup>18</sup> Cobile, TR at 18:5-11.

<sup>19</sup> Cobile, TR at 18:9-11.

<sup>20</sup> Cobile, TR at 18:19 –19:3.

not an employee, the Company had not run a background check on him.<sup>21</sup> However, in an email to Staff witness Cobile, Mr. Nurmanbetov stated: “All sales and customer service I’m covering right now by myself.”<sup>22</sup> In September 2024, Mr. Nurmenbetov provided a revised timesheet which showed 9 days of administrative time.<sup>23</sup> Next, Staff witness Cobile testified that she looked at online reviews for Lion Movers and discovered at least ten employee names mentioned in the reviews, and more specifically, a review from a customer named Melissa H., who Mr. Nurmenbetov confirmed is a real customer, that listed three employees.<sup>24</sup> In response to Staff witness Cobile’s inquiry about the 10 names listed in online reviews, Mr. Nurmenbetov informed Staff that he and his employee Rick De Wijs have several nicknames, and that he and Mr. De Wijs asked their friends and family members to create false online reviews for the Company.<sup>25</sup>

15 Staff witness Sharp recommended that the Commission cancel the Company’s permit for the following reasons:

- After two safety investigations, the Company has yet to achieve a satisfactory safety rating despite receiving technical assistance and operating under an approved safety management plan.
- The Company has failed to submit an acceptable safety management plan for the March 2025 investigation.
- The Company has failed to meet each condition of Order 01 in Docket TV-240549, which extended the Company’s provisional period under the condition that it not incur any repeat critical violations upon reinspection.<sup>26</sup>
- The owner of the Company has a pattern of providing intentionally false, misleading, and inaccurate information to Commission Staff.<sup>27</sup>

16 Staff recommended that the Commission impose a penalty of \$10,000, or \$1,000 per violation. Staff witness Sharp asserted that Staff’s proposed penalty assessment is

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<sup>21</sup> Cobile, TR at 19:18-19.

<sup>22</sup> Cobile, Exh. TC-5 at 6.

<sup>23</sup> Cobile, TR at 25:1-4.

<sup>24</sup> Cobile, TR at 27:11-17.

<sup>25</sup> Cobile, TR at 27:15 – 28:3.

<sup>26</sup> Sharp, TR at 40:18-22 (*citing In re Investigation of Lion Movers LLC*, Docket TV-240549, Order 01 at ¶ 30 (September 17, 2024)).

<sup>27</sup> Sharp, TR at 40:23 – 41:3.

reasonable because the Company has previously received technical assistance for failing to prepare a record of duty status and was working under a safety management plan.<sup>28</sup>

- 17 During the Second BAP, the owner of the Company, Mr. Nurmanbetov, testified that if the Company's permit is cancelled it will be hard for him and that he cannot afford \$10,000 in penalties.<sup>29</sup> Mr. Nurmanbetov expressed remorse and testified that he would like a chance to try his best to "meet all requirements for the UTC."<sup>30</sup> On cross examination, Mr. Nurmanbetov testified that during 2024, the Company had two employees, including himself.<sup>31</sup> In response to questioning regarding the Company's bills of lading<sup>32</sup> that show three employees, Mr. Nurmanbetov testified:

On that situation, you know, during the sales we just, we just of course, we just try to sell our service as higher as we can, you know. So, and probably it's kind of the maybe cause if you wanna if you wanna maybe add the price to our our service, you know. You will have to add one more worker on that on that price. So we may. Maybe that's why. But it's not means, you know, because we have some kind of the different rates for each particular job. And oh, you know so, for example, if we we can sell for for 1, 50 or 1, \$100, \$100 per hour. And for example, for other customers we can sell for. You know, 1, 60 or 1, 68 or something like that. So we will have to have to add those workers because our crm system working on that way. . . It's because of the price we'll have to add our worker. . . .<sup>33</sup>

- 18 Staff asked the following clarifying questions of Mr. Nurmanbetov:

Staff: Okay. So I just I wanna make sure that I'm clear on this. So you were putting down 3 movers. When there were only 2 people working on the job?

Company: Yes.

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<sup>28</sup> Sharp, TR at 41:4-25.

<sup>29</sup> Nurmanbetov, TR at 45:10-15.

<sup>30</sup> Nurmanbetov, TR at 46:9-12.

<sup>31</sup> Nurmanbetov, TR at 47:14-15.

<sup>32</sup> Coble, Exh. TC-9.

<sup>33</sup> Nurmanbetov, TR at 47:19 – 48:14.

Staff: And you were doing that because that way you could charge more for the move?

Company: Yes. But all of those prices . . . it's agreed with the customers. It's not kind of the we are doing the, you know, during the move, we are trying to, you know, upcharge our customer. But it's . . . everything on the on the beginning of the project, you know, so.

Staff: So you're asserting the customers were aware that you were putting down more movers than were actually there, but you were doing it to get around the tariff rates that you were able to charge?

Company: Yes.<sup>34</sup>

- 19 At the conclusion of the hearing, each party provided a closing statement. Staff argued that their recommendations were based on the violations found during the March 2025 inspection, which provide a reasonable basis for the Commission to cancel Lion Mover's permit. Staff recommended that the Commission cancel the Company's permit and assess a penalty of \$10,000. Mr. Nurmanbetov argued that he was sorry and that he tries to do his best to provide the best service to his customers.

## DISCUSSION

- 20 Washington law requires household goods carriers to comply with federal safety requirements and undergo routine safety inspections. Violations discovered during safety inspections are subject to penalties.<sup>35</sup> Staff's March 2025 compliance review of Lion Movers found repeat critical violations of 49 C.F.R. § 395.8(a)(1), the same violations the Company was found to have violated in Order 01 in Docket TV-240549. The violations found by Staff resulted in a proposed conditional safety rating. We rule on each of the issues presented in this docket.

### A. Whether the Company committed one acute violation alleged by Staff

- 21 During the evidentiary hearing, Staff witness Cobile testified to one violation against the Company for false, misleading, or inaccurate information following questioning of hours of service and national background check records.

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<sup>34</sup> Nurmanbetov, TR at 48: 23-25, 49:1-17.

<sup>35</sup> See RCW 81.04.405.

22 Pursuant to 49 C.F.R. § 390.35:

No motor carrier, its agents, officers, representatives, or employees shall make or cause to make:

- (a) A fraudulent or intentionally false statement on any application, certificate, report, or record required by part 325 of subchapter A or this subchapter;
- (b) A fraudulent or intentionally false entry on any application, certificate, report, or record required to be used, completed, or retained, to comply with any requirement of this subchapter or part 325 of subchapter A; or
- (c) A reproduction, for fraudulent purposes, of any application, certificate, report, or record required by this subchapter or part 325 of subchapter A.<sup>36</sup>

23 Staff witness Cobile testified that during Staff's on-site interview with Mr. Nurmanbetov, he provided false statements and asked to change his answers or fix his paperwork, which Staff witness Cobile identified as a pattern by Mr. Nurmanbetov from the investigation in Docket TV-240549.<sup>37</sup> Further, Mr. Nurmanbetov gave Staff conflicting answers about whether he had hired an employee/contractor out of Ukraine to facilitate scheduling and customer contact when Staff inquired into missing administrative time.<sup>38</sup> During the evidentiary hearing, Staff raised concern that reviews for Lion Movers list at least 10 different employee names and that reviews and business records list at least four movers, Mr. Nurmanbetov has been adamant that Lion Movers only had 2 employees during 2024.<sup>39</sup> What we find even more troubling is that Mr. Nurmanbetov testified that on at least one occasion Lion Movers billed a client for three movers when the Company only

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<sup>36</sup> See also WAC 480-15-999(2).

<sup>37</sup> Cobile, TR at 15:23 – 16:5.

<sup>38</sup> Staff witness Cobile testified that Mr. Nurmanbetov did not log administrative time because he had hired a contractor out of Ukraine to respond to customers and for scheduling. See Cobile, TR at 19:13-23. Mr. Nurmanbetov emailed Staff on Feb. 12, 2025, stating that he was thinking of hiring a company to handle sales and customer service and that "All sales and customer service I'm covering right now by myself." Cobile, Exh. TC-5 at 6. However, Mr. Nurmanbetov stated in an email dated Feb 18, 2025, that he never hired a contractor. Cobile, Exh. TC-5 at 3.

<sup>39</sup> See Cobile, Exh. TC-4 (showing that reviews list 10 different employee names and up to four movers); Cobile, Exh. TC-9 (listing between three and four movers); Cobile, Exh. TC-5, (reflecting Mr. Nurmanbetov's statement in an email to Staff dated Feb. 19, 2025, that he doesn't recognize the 10 employee names and that Lion Movers has two employees); Cobile, Exh. TC-8; Cobile, Exh. TC-10; Nurmanbetov, TR at 47:14.

provided two movers and that Lion Movers' employees encourage friends and family members to falsify online review for Lion Movers.<sup>40</sup>

- 24 The Commission is concerned that Lion Movers provided an initial time report to Staff for the month of September 2024 that did not list administrative time.<sup>41</sup> However, after Staff addressed the missing administrative time with Mr. Nurmanbetov, he gave conflicting statements for the basis of the missing administrative time, only changing his statement about hiring a contractor/employee in Ukraine after Staff asked for a background check on the individual. Once Mr. Nurmanbetov landed on his final answer, that he did not hire an individual in Ukraine, he furnished a new time sheet for September 2024 that listed administrative time.<sup>42</sup> It is clear based upon the record in this matter that Mr. Nurmanbetov is willing to change the information he provides to the Commission to appear in compliance with state and federal laws and administrative rule.
- 25 Because Mr. Nurmanbetov has provided inconsistent statements to Staff during the March 2025 compliance investigation, has testified that on at least one occasion, he charged a client for three movers when the Company only provided two movers, and has admitted to encouraging third parties to falsify online reviews for Lion Movers, we find that Lion Movers has committed one acute violation of 49 C.F.R. § 390.35.

**B. Whether the Company committed nine critical violations alleged by Staff**

- 26 Next, during the evidentiary hearing, Staff witness Cobile testified to nine violations by the Company for failing to require a driver to prepare a record of duty status using the appropriate method when the carrier failed to require the driver to make a record of duty status using the proper method, which is a repeat violation from Docket TV-240549, for which Staff found 26 violations.
- 27 Pursuant to 49 C.F.R. § 395.8(a)(1) and WAC 480-15-560(1), "a motor carrier . . . must require each driver used by the motor carrier to record the driver's duty status for each 24-hour period using the method prescribed [by] paragraphs (i) through (iii) of [49 C.F.R. § 395.8(a)(1)], as applicable."
- 28 Staff witness Cobile testified that the Company provided timesheets for September 2024 that did not have the Company employees' administrative time logged.<sup>43</sup> Mr.

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<sup>40</sup> Nurmanbetov, TR at 48:10-14; Nurmanbetov, TR at 44:16-24.

<sup>41</sup> Cobile, Exh. TC-3.

<sup>42</sup> Cobile, Exh. TC-7.

<sup>43</sup> Cobile, Exh. TC-3.

Nurmanbetov admitted to Staff witness Cobile that he had not logged administrative time because he hired an individual in the Ukraine for administrative work.<sup>44</sup> He then later recanted and stated that he was covering all the customer service and sales work for Lion Movers.<sup>45</sup> It is undisputed that employees of Lion Movers did not accurately log administrative time.<sup>46</sup> Because the Company provided timesheets to Staff that did not log administrative time for nine days in September 2024, we find that the Company committed nine critical violations of 49 C.F.R. § 395.8(a)(1).

**C. Whether the Company provisional permit should be extended or cancelled**

- 29 The Commission will grant permanent authority to a household goods carrier under several conditions, including after the applicant has completed a provisional period of not less than six months and not more than eighteen months from the date the provisional permit was issued unless the Commission determines that for good cause, the provisional permit should be extended beyond eighteen months.<sup>47</sup> Good cause can include that the carrier has not yet achieved a satisfactory safety rating, but is making substantial progress toward a satisfactory rating.<sup>48</sup>
- 30 Lion Movers has operated under a provisional permit since January 25, 2022. The Commission found good cause to extend the Company's provisional permit in Docket TV-240549 after the Company submitted an approved SMP.<sup>49</sup> However the Commission extended the Company's provisional permit subject to the condition that the Company "may not incur any repeat violations of critical regulations upon reinspection."<sup>50</sup>
- 31 Although the Company has submitted three drafts of a SMP, none of the drafts have been accepted by Staff.<sup>51</sup> Further, because we find that the Company has committed nine critical violations of 49 C.F.R. § 395.8(a)(1), the Company has incurred repeat violations of prior violations found by the Commission in Order 01. Because the Company has not complied with the conditions of Order 01, and because it has failed to submit a SMP

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<sup>44</sup> Cobile, TR at 18:19-25.

<sup>45</sup> Cobile, Exh. TC-5 at 6.

<sup>46</sup> See Cobile, Exh. TC-5 at 3.

<sup>47</sup> WAC 480-15-305(1)(b).

<sup>48</sup> WAC 480-15-305(1)(b).

<sup>49</sup> *In re Investigation of Lion Movers LLC*, Docket TV-240549, Order 01 at ¶¶ 15, 30 (September 17, 2024).

<sup>50</sup> *In re Investigation of Lion Movers LLC*, Docket TV-240549, Order 01 at ¶ 30 (September 17, 2024).

<sup>51</sup> Sharp, TR at 42:4-7.

acceptable to Staff, we find that the record does not support a finding of good cause to extend the Company's provisional permit. Further, because the Company has been operating under a provisional permit for more than 18 months and good cause does not exist to extend the permit, we find that pursuant to administrative rule,<sup>52</sup> the Company's provisional permit should be canceled.

**D. Whether Staff's recommended penalty should be imposed**

- 32 The remaining issue is whether the Company should be penalized and, if so, in what amount. Staff recommends a penalty of \$1,000 per violation for violations discovered in this docket, which amounts to a total penalty of \$10,000. At the outset, the Commission notes the penalty recommendation from Staff is substantial. Although the Company did not refute Staff's arguments that the Company failed to comply with federal law and administrative rule, the Company did not directly respond to this penalty recommendation at the evidentiary hearing other than to discuss that the penalty would cause hardship.
- 33 The Commission's objective when enforcing statutes, rules, orders, and tariffs is to ensure jurisdictional services are delivered safely, adequately, and efficiently.<sup>53</sup> In considering what enforcement action to take or the level of penalty to be imposed, the Commission may consider a broad number of factors including, but not limited to, how serious or harmful the violation is to the public, whether the company was cooperative and responsive, whether the company promptly corrected the violations, the likelihood of recurrence, the company's past performance regarding compliance, the company's existing compliance program, and the size of the company.<sup>54</sup>
- 34 In this matter, the following factors weigh against Lion Movers: (1) the Company has a history of repeat violations and failure to correct those violations, (2) the Company provided misleading information to Staff during the compliance investigation particularly about compliance with safety regulations, (3) the Company has a high likelihood of reoccurrence demonstrated by past actions in evidence, and (4) the Company's practices of charging customers for more movers than it provides. Although the Company has been operating under a SMP, it has failed to operate in compliance with required laws and regulations. We do note however that no evidence was presented that the Commission had received complaints from the public or had concerns over safety other than those violations discovered during investigation. Finally, the Company is a relatively small one.

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<sup>52</sup> WAC 480-15-305(1)(b).

<sup>53</sup> Docket A-120061, Enforcement Policy for the Washington Utilities and Transportation Commission at ¶ 9 (January 7, 2013).

<sup>54</sup> *Id.* at ¶ 15.

The penalties recommended by Staff amount to approximately 17 percent of the Company's 2024 total gross revenue.

- 35 In this case, we find that several factors weigh both for and against mitigation. Staff's recommended penalty is attributable to two types of violations: (1) a penalty of \$1,000 for one acute violation of 49 C.F.R. § 390.35, (2) a penalty of \$9,000 for nine critical violations of 49 C.F.R. § 395.8(a)(1), with 9 occurrences identified.
- 36 After considering all evidence in the record in light of the above referenced penalty factors, we find that some mitigation is warranted given the size of the Company and the fact that the provisional permit is being cancelled, which will reduce the chance of continued violations. The Commission therefore assesses a penalty of \$1,000 for one acute violation of 49 C.F.R. § 390.35, which reflects Staff's recommended amount because of the severity of the violation, but reduces the penalties for nine critical violations of 49 C.F.R. § 395.8(a)(1) to \$500 per occurrence which is 50 percent of Staff's recommended penalty. The total penalty assessed against the Company is \$5,500.

### FINDINGS AND CONCLUSIONS

- 37 (1) The Commission is an agency of the State of Washington, vested by statute with authority to regulate rates, rules, regulations, practices, and accounts of public service companies, including common carriers such as household goods carriers, and has jurisdiction over the parties and subject matter of this proceeding.
- 38 (2) Lion Movers LLC, is a household goods carrier subject to Commission regulation.
- 39 (3) We find that Lion Movers LLC, committed one acute violation of 49 C.F.R. § 390.35 when it provided false, misleading, or inaccurate information following questioning of hours of service and national background check records to Staff.
- 40 (4) We also find that Lion Movers LLC, committed nine critical violations of 49 C.F.R. § 395.8(a)(1) when it failed to log administrative time for drivers on nine occasions in September 2024.
- 41 (5) Lion Movers LLC is not in compliance with the conditions imposed on it by Order 01 in Docket TV-240549.
- 42 (6) Lion Movers LLC has not submitted a Safety Management Plan in this Docket that has been found acceptable by Staff. Therefore, the Commission declines to

find “good cause” that Lion Movers “is making substantial progress toward a satisfactory rating.” WAC 480-15-305.

- 43 (7) The Commission has authority to cancel, suspend, alter, or amend a transportation company permit for violations of federal or state law, or Commission rule.
- 44 (8) We find that there is sufficient cause for cancelation pursuant to WAC 480-15-450(1) – failure to comply with applicable laws and Commission rules.
- 45 (9) We find that the record supports the penalty amount of \$5,500.

### ORDER

#### THE COMMISSION ORDERS:

- 46 (1) Pursuant to WAC 480-15-450, Lion Movers LLC’s provisional authority is canceled.
- 47 (2) Lion Movers LLC’s application for permanent household goods authority is dismissed.
- 48 (3) Pursuant to WAC 480-15-450, Lion Movers LLC shall immediately CEASE all operations associated with this permit, including advertising.
- 49 (4) Pursuant to WAC 480-15-450(3), Lion Movers LLC shall provide notice to every customer that its permit has been canceled and shall provide proof of such notice to the Commission within 30 days.
- 50 (5) Lion Movers LLC is assessed a penalty of \$5,500, which is due and payable to the Commission within 31 calendar days from service of this Order.

DATED at Lacey, Washington, and effective May 20, 2025.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Jessica Kruszewski

JESSICA KRUSZEWSKI  
Administrative Law Judge

### NOTICE TO PARTIES

This is an Initial Order. The action proposed in this Initial Order is not yet effective, but will become effective by operation of law within 21 days of the Commission issuing this Order unless administrative review is sought or initiated by the Commission. If you disagree with this Initial Order and want the Commission to consider your comments, you must take specific action within the time limits outlined below. If you agree with this Initial Order, and you would like the Order to become final before the time limits expire, you may send a letter to the Commission, waiving your right to petition for administrative review.

WAC 480-07-610(7) provides that any party to this proceeding has twenty-one (21) days after the entry of this Initial Order to file a *Petition for Review*. What must be included in any Petition and other requirements for a Petition are stated in WAC 480-07-610(7)(b). WAC 480-07-610(7)(c) states that any party may file a *Response* to a Petition for review within seven (7) days after service of the Petition.

WAC 480-07-830 provides that before entry of a Final Order any party may file a Petition to Reopen a contested proceeding to permit receipt of evidence essential to a decision, but unavailable and not reasonably discoverable at the time of hearing, or for other good and sufficient cause. No Answer to a Petition to Reopen will be accepted for filing absent express notice by the Commission calling for such answer.

RCW 80.01.060(3) provides that an Initial Order will become final without further Commission action if no party seeks administrative review of the Initial Order and if the Commission fails to exercise administrative review on its own motion.

Any Petition or Response must be electronically filed through the Commission's web portal as required by WAC 480-07-140(5). Any Petition or Response filed must also be electronically served on each party of record as required by WAC 480-07-140(1)(b).