

BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the	)	DOCKET NO. TV-051478
	)	
PENALTY ASSESSMENT AGAINST	)	ORDER NO. 01
NEIGHBORS MOVING & STORAGE	)	
OF SEATTLE, LLC.	)	
	)	FINAL ORDER APPROVING
	)	SETTLEMENT AGREEMENT
.....	)	

- 1 **Synopsis:** *The Commission approves the settlement agreement which provides that Neighbors Moving & Storage of Seattle, LLC will pay \$23,343.75 in penalties and will, in future, comply with all applicable Commission rules and statutes.*
  
- 2 **Nature of Proceeding.** Docket No. TV-051478 involves the issuance of a Penalty Assessment by the Washington Utilities and Transportation Commission (Commission) against Neighbors Moving & Storage of Seattle, LLC. (Neighbors Moving & Storage) in the amount of \$42,475.00, alleging 574 violations of Commission rules and household goods tariff, specifically, WAC 480-15 and Commission Tariff 15-A.
  
- 3 **Appearances.** Jennifer Cameron-Rulkowski, Assistant Attorney General, represents Commission Staff. Stephen T. Reinmuth, Lane Powell PC, attorney, Olympia, represents Neighbors Moving and Storage.
  
- 4 **Background.** In spring 2005, Commission Staff performed a compliance audit of the business practices of Neighbors Moving and Storage (Neighbors). Staff found Neighbors had violated laws and rules governing the moving of

household goods. Staff provided Neighbors a report on their audit in July 2005. Staff also assessed \$42,475.00 in penalties against Neighbors.<sup>1</sup>

5 In response to the penalty assessment, Neighbors requested a mitigation hearing and an opportunity to discuss settlement with Commission Staff.<sup>2</sup> The parties engaged in settlement discussions and reached a resolution of all the issues in this proceeding.

6 **Settlement Agreement.** On February 8, 2006, the parties filed a Settlement Agreement and a Narrative Supporting Settlement Agreement. The Settlement Agreement provides that Neighbors admits to the violations identified in the penalty assessment and that of the total penalty assessment of \$42,475, Neighbors will pay penalties totaling \$23,343.75:

1. \$300 for three violations of WAC 480-15-610;
2. \$100 for one violation of WAC 480-15-640;
3. \$9,600 for 96 violations of 480-15-730;
4. \$5,200for 104 violations of WAC 480-15-740;
5. \$100 for one violation of WAC 480-15-840;
6. \$600 for six violations of WAC 480-15-860;
7. \$1,243.75 for 199 violations of 480-15-890;
8. \$2,425 for 97 violations of Tariff 15-A, Fuel Charge Supplement No. 2000-1;
9. \$1,000 for ten violations of Tariff 15-A, Item 220;
10. \$600 for six violations of Tariff 15-A;
11. \$975 for 39 violations of Tariff 15-A, Item 225;
12. \$900 for 9 violations of Tariff 15-A, Item 110; and
13. \$300 for three violations of Tariff 15-A, Item 155.<sup>3</sup>

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<sup>1</sup> Notice of Penalties, October 20, 2005.

<sup>2</sup> See, Letter from Joe Tranisi, Neighbors Moving & Storage, dated October 31, 2005.

<sup>3</sup> Settlement Agreement, ¶ 6.

7 In addition, the Settlement Agreement provides that the \$23,343.75 will be paid  
in six monthly installments beginning the first day of the first month after the  
Commission issues its order approving the Agreement, in \$3,890.63 installments,  
with a sixth and final installment of \$3,890.60.<sup>4</sup>

8 Neighbors Moving and Storage also agrees to comply with all applicable  
Commission rules and statutes in the future.<sup>5</sup>

9 The narrative filed in support of the settlement states that adoption of the  
settlement will avoid the expense, inconvenience, uncertainty, and delay  
associated with litigation and will serve the public interest.<sup>6</sup>

10 **Discussion and decision.** The Commission regulates companies that move  
household goods under a public interest standard.<sup>7</sup> The Commission's rules  
express support for parties' efforts to resolve disputes without the need for  
contested hearings when doing so is lawful and consistent with the public  
interest.<sup>8</sup> The parties in this proceeding have resolved all of the disputed issues  
in this penalty assessment case, their resolution complies with Commission rules  
and will avoid unnecessary expense and use of human resources connected with  
full litigation of the matter. Because the settlement agreement includes, among  
other things, acknowledgement by Neighbors Moving & Storage of law  
violations and acceptance of appropriate penalties, we find that the Agreement  
serves the public interest and should be approved.

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<sup>4</sup> *Id.*, ¶ 7.

<sup>5</sup> *Id.*, ¶ 8.

<sup>6</sup> Narrative Supporting Settlement Agreement, ¶ 6.

<sup>7</sup> RCW 80.01.040.

<sup>8</sup> WAC 480-07-700.

**ORDER**

11 THE COMMISSION ORDERS That the Settlement Agreement is approved.

DATED at Olympia, Washington, and effective this 21<sup>st</sup> day of February, 2006.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner

**NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-07-850, or a petition for rehearing pursuant to RCW 80.04.200 and WAC 480-07-870.**