



Washington Movers Conference

of the Washington Trucking Associations

930 South 336th Street, Suite B

Federal Way, WA 98003-6384

(253) 838-1650

1-800-732-9019

Fax (253) 838-1793

www.wcmovers.com

James R. Tutton, Jr.
Executive Director

April 6, 2012

Mr. Dave Danner
Executive Director/Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

Dear Mr. Danner:

The Washington Movers Conference would like to provide the following comments to the Commission's "Rulemaking to Consider Revising Household Goods Carrier Entry and Fitness Standard Rules in WAC 480-15", Docket TV-111493, dated March 9, 2012. Comments are as follows:

In New Section – **WAC 480-15-302, Provisional authority:**

Strongly recommend adding new paragraph (9) because it is applicable to entry standards - *If the applicant's application for Provisional Authority shows no account opened with the State Department of Labor & Industries or the State Employment Security Department and the applicant intends to use temporary workers in his/her business, the applicant must certify that it will maintain records for three years that describe the date(s) worked, names of temporary worker(s) and the source from where the temporary worker(s) were obtained.*

Reasons to Support –

- a. Many new applicants, when answering the question on the "Household Goods Moving Company Permit Application" if they have established a Workers' Compensation Account with the Department of Labor & Industries or registered with the State Employment Security Department check the "No" block and then add a comment "I intend to use independent contractors." or "I have no employees".
- b. The lack of established accounts should be a big "Red Flag" indicating the possibility the applicant is unaware of the requirement when employing workers or that they are simply ignoring state government regulations and the applicable premiums to be paid associated with workers' hours worked.
- c. Legally permitted, professionally operating household goods moving companies already are maintaining paperwork listing the temporary employees by name and dates worked by way of the invoices received and paid which are provided by the Temp Work Services businesses providing the temp workers. Any moving company's temp worker information should be easily verifiable when conducting on-site compliance audits and reviewing applicable intrastate "Uniform Household Goods Bills of Lading" and the back-up documents such as the invoices received for use of temp workers.
- d. This proposed new requirement should apply to all legally permitted intrastate household goods carriers.

Change - Old paragraph (9) to paragraph (10).

Change - Old paragraph (10) to paragraph (11).

Change - Old paragraph (11) to paragraph (12).

Strongly recommend adding new paragraph (13) – *The Provisional Application review period shall be not less than six months. One additional period of six months for review work by staff may be granted when supported by justified need for staff to evaluate the applicant, complete applicable required audits, or complete any needed applicant training. If, following the extension period, the application process is still incomplete; the application will be voided and returned to the applicant with comment.*

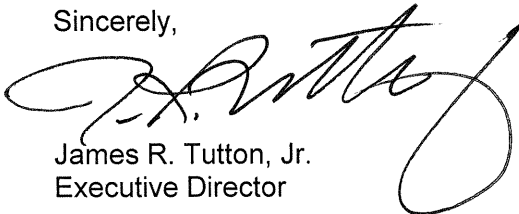
Reasons to Support –

- a. A combined 12-months to complete the necessary evaluation criteria applicable to granting a "Household Goods Moving Company Permit Application" for Permanent Authority is sufficient time to make an accurate assessment of the applicant's financial stability; knowledge of pertinent RCWs; WAC rules; and the ability to appropriately apply Household Goods Tariff 15-C Rates and Charges to sustain an active and profitable household goods moving company that will be in the best interests of the moving public.
- b. As of the date of this comment submission, there are 14 Temporary (Provisional) Applications presently listed on the WUTC web site that have filing dates in 2010 that have not as yet met the qualifications for granting a Permanent Permit.
- c. Presently, the granting of a Temporary (Provisional) Permit allows the applicant full access to call upon and service customer's moving needs. Docket TV-111493 states, "This rulemaking will consider the need to set standards that allow qualified companies to obtain permits and, at the same time, protect the public from unscrupulous, unsafe or unfit household goods moving companies." If the applicant can not meet all of the criteria of the application process between six months to a year to acquire a Permanent Authority then the process has worked resulting in proper protections afforded the consumer who is expecting a fit, qualified, and safe operating moving company crew to show up at their front door.

No other changes recommended.

Should you have any questions, please feel free to contact me.

Sincerely,



James R. Tutton, Jr.
Executive Director