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February 16, 2024

Bijan Hughes
Administrative Law Judge
Washington Utilities and Transportation Commission
621 Woodland Square Loop SE
P.O. Box 47250
Olympia, WA 98504-7250

RE: *In the Matter of the Investigation of Marsik Movers, LLC. for Compliance with
WAC 480-14-300, WAC 480-15-560 and WAC 480-15-590
Docket TV-231020*

Dear Judge Hughes:

On February 13, 2024, the parties were notified that the presiding officer in Docket TV-231020 intends to take notice of any and all portions of the entries for USDOT #3247682 in the Federal Motor Carrier Safety Administration's online public database. Of note for this proceeding are entries detailing federally tracked safety inspections, federal operating authority status, and reported reportable crashes of Marsik Movers, LLC (the Company).

Staff does not object to the presiding officer taking notice of these entries. However, Staff does find it necessary to provide some context for these entries in light of a holistic review of this Company's file.

The USDOT portal lists eight driver and/or vehicle inspection reports of the Company, three of which occurred since the Company's last proceeding before the Commission.¹ The Level III, Driver-Only inspection performed on March 31, 2023 was reviewed by the investigator and Staff assigned to this case in the normal course of investigation for the Company. The two Level V inspections performed on November 16, 2023 were performed by Staff as part of the safety investigation process.² The consideration of all three inspections does not affect the final proposed safety rating for this company.

¹ In Docket 230061, the final order was issued on March 24, 2023. The violations were recorded on March 31, 2023 and November 16, 2023.

² Staff are Commercial Vehicle Safety Alliance certified to perform commercial vehicle and driver inspections. The inspection reports are uploaded to the Federal Motor Carrier Administration's Safety Measurement System.

ATTORNEY GENERAL OF WASHINGTON

Judge Bijan Hughes
February 16, 2024
Page 2

While Staff is concerned about the Company's repeated violations, the Company has provided, in Staff's view, adequate responses to the critical violations noted in Staff's investigation report. Staff has worked at length with the Company to ensure a proper safety management plan that, if it continues to be followed, will ensure proper documentation and safety procedures continue to be in place.

Please contact me if you have any questions concerning this reply.

Sincerely,

/s/ Colin O'Brien, WSBA No. 60946
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CO/emd
cc: Parties