



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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July 6, 2017

Steven V. King, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. MVP Moving and Storage LLC*
Commission Staff's Response to Proposed Payment Schedule
Docket TV-170039

Dear Mr. King:

On April 6, 2017, the Washington Utilities and Transportation Commission (Commission) entered Order 01 in Docket TV-170038, which required MVP Moving and Storage LLC (MVP Moving) to pay a \$6,100 penalty for 61 violations of WAC 480-15 and Title 49 C.F.R. A portion of the penalty, \$3,100, was suspended for two years on the condition the Company (1) maintained a conditional safety rating, (2) refrained from incurring repeat critical violations of WAC 480-15, and (3) payed the \$3,000 portion of the penalty that was not suspended within 10 days of the effective date of Order 01, April 27, 2017.

MVP Moving failed to pay the remaining \$3,000 of the penalty as required by Order 01, and on May 31, the Commission issued Order 02 which imposed the suspended portion of the penalty, effectively restoring the original \$6,100 penalty.

On June 27, 2017, MVP Moving made a payment of \$3,100 and contacted Commission staff on June 30, 2017 to request mitigation and the opportunity to make payment arrangements. MVP Moving followed up with an email the same day requesting mitigation and proposing a payment arrangement of \$300.00 per month for ten months, for a total of \$3,000.

In its request for mitigation, MVP Moving states that it attempted to contact Financial Services to make payment arrangements on the original penalty, but was unable to do so. MVP Moving also explained that it is a small company, and was unable to pay the penalty on time because it was waiting for several customers to pay their invoices.

Staff supports the company's proposal in part. Although MVP Moving failed to pay or make arrangements to pay the reduced penalty of \$3,100 imposed in Order 01, staff recognizes that the company made a significant installment on the total penalty and has reached out to staff to resolve this matter.

Staff does not recommend additional mitigation of the remaining penalty amount, but does recommend that MVP Moving be allowed to pay the remaining balance of \$3,000 according to the following terms:

1. The company will make ten monthly installments of \$300, for a total of \$3,000.
2. Each payment will be due and payable on the first day of each month, beginning August 1, 2017. If the first day of the month falls on a weekend or holiday the payment will be due on the next immediate business day.
3. If the company fails to pay any installment by the due date, or fails to pay at least the minimum amount due, the entire remaining balance of payments will become immediately due and payable.

The proposed payment scheduled is depicted below:

August 1, 2017	\$300
September 1, 2017	\$300
October 2, 2017	\$300
November 1, 2017	\$300
December 1, 2017	\$300
January 2, 2018	\$300
February 1, 2018	\$300
March 1, 2018	\$300
April 2, 2018	\$300
May 1, 2018	\$300

If you have any questions, please contact Mike Turcott, Compliance Investigator, Transportation Safety, at 360-664-1174, or by e-mail at miturcot@utc.wa.gov.

Sincerely,



David Pratt
Assistant Director, Transportation Safety