

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment Against	DOCKET TV-170205
IRON MAN MOVERS AND STORAGE, INC.	ORDER 02
in the amount of \$15,900	GRANTING PAYMENT ARRANGEMENT

BACKGROUND

- 1 On May 22, 2017, the Washington Utilities and Transportation Commission (Commission) assessed a \$15,900 penalty (Penalty Assessment) against Iron Man Movers and Storage, Inc. (Iron Man or Company) for for 211 violations of Washington Administrative Code (WAC) 480-15 and Tariff 15-C, which govern the operations of household goods moving companies.
- 2 On June 5, 2017, Iron Man responded to the Penalty Assessment, admitting certain violations, requesting further information about other violations, and requesting mitigation of the penalty based on the written information provided. The Company filed a supplemental response on June 15, 2017, addressing additional violations. In its response, the Company explained that the violations have since been corrected, and requested the Commission reduce the penalty by an unspecified amount.
- 3 On June 21, 2017, Commission staff (Staff) filed a response recommending the Commission grant the Company's request for mitigation, in part. On July 12, the Commission entered Order 01, Order Denying Mitigation; Imposing and Suspending Penalties Subject to Conditions (Order 01). Order 01 imposed a total penalty of \$21,100, and suspended a \$10,600 portion for a period of two years, subject to certain conditions.
- 4 On October 2, 2017, Staff contacted the Executive Director and Secretary of the Commission explaining that the Company requested to pay the penalty in 21 monthly installments, and that Staff supports the request. The Company and Staff jointly propose the following payment schedule:

October 6, 2017	\$500
November 7, 2017	\$500
December 7, 2017	\$500

January 8, 2018	\$500
February 7, 2018	\$500
March 7, 2018	\$500
April 6, 2018	\$500
May 7, 2018	\$500
June 7, 2018	\$500
July 9, 2018	\$500
August 7, 2018	\$500
September 10, 2018	\$500
October 5, 2018	\$500
November 7, 2018	\$500
December 7, 2018	\$500
January 7, 2019	\$500
February 7, 2019	\$500
March 7, 2019	\$500
April 5, 2019	\$500
May 7, 2019	\$500
June 7, 2019	\$500

- 5 Staff also proposes that if Iron Man misses one payment, the entire balance and the suspended penalty will become due and payable immediately.

DISCUSSION

- 6 In spite of the fact that the proposed payment arrangement was submitted well after the 30 day deadline set by Order 01, the Commission finds the installment payment schedule Staff and the Company propose is reasonable. The Commission approves the proposal with two modifications. First, Iron Man may make additional payments in advance of the payment due dates or pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make timely monthly installments until the full amount is satisfied. Second, if Iron Man fails to pay the penalty by the date it becomes due in full – either immediately upon a missed installment, or June 7, 2019, whichever applies – or fails to meet any of the other conditions laid out in Order 01, not only will the the \$10,600 suspended portion of the penalty become immediately due and payable, but the Commission may cancel the Company’s household goods carrier permit.

ORDER

THE COMMISSION ORDERS THAT:

- 7 (1) The \$10,500 unsuspended portion of the penalty is due and payable to the Commission in installments as set out in paragraph 4, above.
- 8 (2) If Iron Man Movers and Storage, Inc. fails to pay any installment by 5 p.m. on the date it is due, both the unpaid balance and the \$10,600 suspended portion will immediately become due and payable without further order by the Commission.
- 9 (3) If Iron Man Movers and Storage fails to pay any portion of the assessed penalty by the due date or fails to meet any of the other conditions set forth in Order 01, the Commission may cancel the Company's household goods permit by order in this docket.

DATED at Olympia, Washington, and effective October 6, 2017.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.