

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

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| In the Matter of the Exemption of |) | DOCKET NO. TV-030008 |
| Carriers of Household Goods |) | |
| from the Provisions of WAC 480- |) | ORDER NO. 01 |
| 15-490(3) and WAC 480-15-500 |) | |
| Relating to Publication of Tariffs |) | |
| for the Transportation of |) | ORDER GRANTING |
| Household Goods in Washington |) | EXEMPTION FROM TARIFF |
| Intrastate Commerce |) | PURCHASE AND PAYMENT |
| |) | REQUIREMENTS OF RULE |
| |) | |

BACKGROUND

- 1 On January 7, 2003, Commission Staff asked that the Commission on its own motion consider exempting carriers of household goods from the requirements of WAC 480-15-490(3) and WAC 480-15-500 that they purchase and pay fees for maintaining household goods tariffs.

- 2 WAC 480-15-490(3) requires household goods carriers to purchase and display at least one copy of the current tariff, and pay applicable tariff maintenance fees.

- 3 WAC 480-14-500 defines the fees household goods carriers and other subscribers must pay for tariff maintenance service. Tariff maintenance service is the term used to describe the process under which the Commission updates Tariff 15-A, the tariff published by the Commission applying to shipments of household goods transported in Washington intrastate commerce. The process includes examination of proposals, hearing, and printing and distributing pages amended through the hearing process. WAC 480-15-500 also establishes procedures for billing tariff subscribers for annual tariff maintenance service and defines

administrative actions that may be instituted should a household goods carrier fail to remit appropriate fees. These penalties include suspension of permit authority, cancellation of permit authority, or monetary penalty assessments.

4 Staff stated that the reasons for requesting this exemption from the rules include:

- 5 (1) Under current procedures, the cost of billing, collecting, and processing maintenance fees, together with costs incurred to take administrative actions against household goods carriers that fail to pay fees by established deadlines, can exceed the amount of maintenance fees collected.
- 6 (2) The method of delivering updated Tariff 15-A pages is being amended. Beginning in 2003, amended pages will be published and delivered to subscribers using the Internet and electronic mail. The Commission will realize savings in printing, postage, and staff time. Additionally, under the new process, tariff subscribers will receive notice of tariff amendments more quickly, allowing them to update their company computers and billing processes more efficiently.
- 7 (3) Granting the requested exemptions will reduce regulatory burden for household goods carriers. Those carriers, however, will continue to receive an acceptable level of service through the new publication and distribution processes noted above.
- 8 (4) Granting the requested exemptions will reduce tariff publication workload and allow resources currently involved in those processes to be reassigned to other functions and processes.

- 9 (5) Staff will be requesting the Commission consider a rulemaking later in 2003 to amend WAC 480-15-490 and WAC 480-15-500 to reflect on a permanent basis the exemptions being requested in this Docket.

FINDINGS AND CONCLUSIONS

- 10 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate public service companies, including household goods carriers. *RCW 80.01.040; Chapter 81.01 RCW; Chapter 81.04 RCW and Chapter 81.80 RCW.*
- 11 (2) Household goods carriers operating in Washington intrastate commerce are subject to the provisions of WAC 480-15-490 and WAC 480-15-500, requiring household goods carriers to pay annual tariff maintenance fees to the Commission.
- 12 (3) WAC 480-15-035 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-15 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 13 (4) This matter was brought before the Commission at its regularly scheduled meeting on May 28, 2003.
- 14 (5) After review of the request of Commission Staff in Docket TV-030008 , and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

O R D E R

THE COMMISSION ORDERS:

- 15 (1) After the effective date of this Order, subscribers to Commission Household Goods Tariff No. 15-A are granted an exemption for the year 2003 from the provisions of WAC 480-15-490 and WAC 480-15-500 that require subscribers to that tariff to purchase and to submit annual tariff maintenance fees to the Commission or be subject to suspension or cancellation of their permit authority or to imposition of monetary penalty assessments. Under the exception, no fees will be due from subscribers for tariffs or service during 2003.
- 16 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 29th day of January, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary