

**BEFORE THE WASHINGTON STATE UTILITIES AND
TRANSPORTATION COMMISSION
1-360-664-1222**

Regarding suspension/cancellation of household goods permit for failure to file proof of liability and property damage insurance covering equipment.) DOCKET TV-090105)
))
) Order Suspending/Canceling Permit No. HG-011854)
))
) EMERY, INC., WORLDWIDE)
.....) MOVING)

BACKGROUND

- 1 Washington State law requires household goods carriers operating in the state of Washington subject to regulation by the Washington Utilities and Transportation Commission (Commission) to file and maintain proof of liability and property damage insurance.
- 2 On December 15, 2008, the Commission notified you by letter that your permit to operate as a household goods carrier in Washington State would be suspended if acceptable proof of insurance was not filed by your insurance company. We also told you that you could contest suspension of your permit by requesting a hearing within 10 days of the notice.
- 3 We have not received proof of insurance and you did not request a hearing.

FINDINGS AND CONCLUSION

- 4 The Washington Utilities and Transportation Commission is an agency of the state of Washington having authority to regulate household goods carriers as defined in RCW 81.80.
- 5 Emery, Inc, Worldwide Moving is a household goods carrier operating in Washington State under permit no. HG-011854.
- 6 On December 15, 2008, the Commission received notice of insurance cancellation related to the named carrier effective January 16, 2009.
- 7 The Commission is authorized by WAC 480-15-430(1)(a) to suspend a household goods permit for failure to file and maintain proof of insurance.
- 8 The Commission is authorized by WAC 480-15-450(2) to cancel a household goods permit for failure to correct conditions leading to suspension within the time defined in the order of suspension.

ORDER

- 9 The Commission suspends permit no. HG-011854 for a period of 30 days effective January 16, 2009.
- 10 You are directed to cease all operations associated with this certificate until the commission receives proof of liability and property damage insurance and enters an order lifting the suspension and authorizes you to resume operations.
- 11 If proof of insurance is not filed within 30 days certificate no. HG-011854 will be cancelled without further notice or order. To reinstate this certificate you must submit a new application and acceptable proof of insurance.
- 12 You may contest cancellation of this certificate by requesting a hearing within 10 days of service of this order. A hearing request does not affect the suspension status of your certificate.
- 13 The Commission has delegated authority to the Secretary to enter this Order under RCW 80.01.030 and WAC 480-07-905(1)(f).

DATED at Olympia, Washington and effective January 16, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

NOTICE: This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least 14 days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site.

The Commission will schedule your request for review by issuing a notice of hearing to be held before an administrative law judge. The Commission, at its discretion, may consider your request for review in an adjudicative proceeding under RCW 34.05 Part IV, or in a brief adjudicative proceeding under RCW 34.05.482 through .494. Following hearing, the administrative law judge will enter an initial order. If you wish to seek review of the initial order, you may file a petition for administrative review under RCW 34.05.464, or if the matter is heard in a brief adjudicative proceeding, under RCW 34.05.491.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3), and WAC 480-07-905, as amended effective September 22, 2008.