

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

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|--|---|---------------------|
| In the matter of the cancellation of |) | |
| household goods permit HG-13633 |) | DOCKET TV-150357 |
| held by |) | |
| |) | ORDER 01 |
| DELHUR INDUSTRIES, INC., |) | |
| |) | ORDER CANCELLING |
| for failure to file proof of liability and |) | OPERATING AUTHORITY |
| property damage insurance covering |) | |
| equipment. |) | |
| |) | |

BACKGROUND

- 1 Household goods carriers operating in the state of Washington, subject to regulation by the Washington Utilities and Transportation Commission (Commission) must file and maintain proof of liability and property damage insurance (Form E).

- 2 On January 28, 2015, the Commission notified Delhur Industries, Inc. (Company) by letter that its permit to operate as a household goods carrier in Washington would be cancelled if acceptable proof of insurance is not filed by March 2, 2015. The Commission also informed Delhur Industries, Inc. of its right to contest cancellation of the permit by requesting a hearing within 10 days of the notice.

DISCUSSION

- 3 The Commission has not received acceptable proof of insurance, and the Company has not requested a hearing. The Commission is authorized by WAC 480-15-450(1)(c) to cancel a household goods carrier's permit for failure to file and maintain proof of insurance. Permit HG-13633 should be cancelled.

- 4 To reinstate the permit, Delhur Industries, Inc. would need to submit an application for reinstatement, pay the reinstatement fee, and file acceptable proof of insurance (Form E) within 30 days. After 30 days, the applicant will be subject to all terms and conditions of a new entrant.

FINDINGS AND CONCLUSION

- 5 (1) 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.
- 6 (2) Delhur Industries, Inc. is a household goods carrier operating in Washington under permit HG-13633.
- 7 (3) On January 28, 2015, the Commission received notice of insurance cancellation related to Delhur Industries, Inc. effective March 2, 2015. The Commission notified the Company that if a Form E insurance certificate was not received by the cancellation date, its permit would be cancelled.
- 8 (4) The Commission is authorized by WAC 480-15-450(1)(c) to cancel a household goods carrier's permit for failure to file and maintain proof of insurance.
- 9 (5) The Commission should cancel Delhur Industries, Inc.'s household goods carrier's permit for failure to file and maintain proof of insurance.

ORDER

THE COMMISSION ORDERS:

- 10 (1) Permit HG-13633 held by Delhur Industries, Inc. is cancelled as of March 2, 2015.
- 11 (2) Delhur Industries, Inc. is directed to **cease** all operations associated with permit HG-13633.
- 12 The Commission has delegated authority to the Secretary, or to the Secretary's delegate, to enter this Order under RCW 80.01.030, WAC 480-07-903(1)(c); and Order 04 in Docket A-090485.

DATED at Olympia, Washington, and effective March 2, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary

NOTICE: This is an order delegated to the Secretary, or the Secretary's delegate, 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. For questions, please contact Licensing Services at 360-664-1222.

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.