

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of

ROCKET TRANSPORTATION, LLC

For Compliance with WAC 480-30-221

DOCKET TC-171023

NOTICE OF INTENT TO CANCEL
CERTIFICATE AS AN AUTO
TRANSPORTATION COMPANY

NOTICE OF BRIEF ADJUDICATIVE
PROCEEDING; SETTING TIME FOR
ORAL STATEMENTS
(Set for November 20, 2017, at 1:30 p.m.)

- 1 Pursuant to RCW 81.68.030, the Washington Utilities and Transportation Commission (Commission) has authority to regulate auto transportation companies with respect to the safety of their operations. In support of its regulation in this area, the Commission has adopted by reference portions of Title 49 of the Code of Federal Regulations (C.F.R.) in WAC 480-30-221, the Commission's rule governing vehicle and driver safety requirements. RCW 81.68.030 authorizes the Commission to cancel the certificate of any auto transportation company that fails to comply with Commission rules. The Commission may cancel auto transportation certificates "for cause" under WAC 480-30-171(2).
- 2 Rocket Transportation, LLC (Rocket Transportation) holds auto transportation authority from the Commission and operates under Certificate C62991. In July 2017, the Commission's staff (Staff) conducted a review of Rocket Transportation's compliance with the safety requirements of WAC 480-30-221. In the course of that review, Staff documented five critical violations of those requirements, as well as a number of other violations. Based on these violations, Staff proposed an "unsatisfactory" safety rating for Rocket Transportation and notified the company of the proposed rating on October 12, 2017.
- 3 Federal law incorporated into WAC 480-30-221 prohibits motor carriers transporting passengers in a commercial motor vehicle from operating beginning on the 46th day after the date of the notice of a proposed unsatisfactory rating.¹ A carrier may request a change in its safety rating based on evidence that the company has taken corrective actions to

¹ See 49 C.F.R. § 385.13(a)(1).

address the identified violations and that company operations currently meet the safety fitness standard as specified in 49 C.F.R. §§ 385.5 and 385.7.

4 Rocket Transportation must come into compliance with applicable laws and rules by obtaining Commission approval of a safety management plan no later than Friday, November 24, 2017. If the Company fails to come into compliance by that date, the Commission will cancel its auto transportation carrier certificate effective Sunday, November 26 2017. Thereafter, as an unregistered company, Rocket Transportation would be prohibited from providing auto transportation services in the state of Washington.

5 **THE COMMISSION GIVES NOTICE That it intends to cancel the certificate and authority of Rocket Transportation to provide auto transportation services effective November 26, 2017, unless the Company obtains Commission approval of a safety management plan prior to that date.**

6 The Company has the right to request a hearing in this matter. Due to the short time-frame determined by the upcoming deadline, and pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission schedules a hearing on its own initiative and determines that a brief adjudicative proceeding is appropriate to determine whether the Commission should cancel Rocket Transportation's auto transportation certificate.

7 **THE COMMISSION GIVES FURTHER NOTICE that it will hold a brief adjudicative proceeding in this matter at 1:30 p.m., on November 20, 2017, in Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

8 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.

9 Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide at its offices in Olympia, Washington, copies of documents in the current record for use by the parties or others who may want to review them.

10 **Rocket Transportation must submit its proposed safety management plan no later than 5 p.m. on Friday, November 10, 2017.** Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission a list enumerating and describing any such documents **no later than 5 p.m.**

on Monday, November 13, 2017, and bring an original and three (3) copies of those documents to the hearing. Filing shall be in accordance with WAC 480-07-140.

11 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

12 The names and mailing addresses of all parties and their known representatives are shown as follows:

Commission: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Jeff Roberson
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1188
jroberson@utc.wa.gov

Respondent: Rocket Transportation, LLC
261321 Hwy 101
Sequim, WA 98382
kathy@gorocketman.com

13 Administrative Law Judge Laura Chartoff, from the Commission's Administrative Law Division, will preside during this proceeding.

DATED at Olympia, Washington and effective October 18, 2017

STEVEN V. KING
Executive Director and Secretary

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Steven V. King, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (**PLEASE SUPPLY ALL REQUESTED INFORMATION**)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____