

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

In re Application of

Dolly, Inc.

for a permit to operate as a motor carrier of
household goods and a permit to operate as a
motor freight common carrier

DOCKET NO. _____

PETITION FOR RULE EXEMPTION

I. INTRODUCTION

COMES NOW Dolly, Inc. (“Dolly”) by and through its attorney, Armikka R. Bryant, and in accordance with WAC 480-07-110, 480-07-370, and 480-15-035 files this *Petition for Rule Exemption* (“Petition”) respectfully requesting to be exempt from the Commission’s requirement that Dolly obtain a United States Department of Transportation Federal Motor Carrier Safety Administration Number (“USDOT No.”). This Petition requests permission to operate as a household goods carrier in this state that comports with Dolly’s business model, explained below.

Contemporaneous with this Petition explaining why Dolly does not qualify for and should be exempt from the requirement to obtain a USDOT No., Dolly today files its application for a household goods carrier permit. Approving this Petition would be consistent with the public interest, the purposes underlying the household goods carrier regulations, and Chapters 81.24, 81.28, and 81.80 RCW.

1 **II. BACKGROUND**

2 Dolly is an Internet and app-based software company that provides a technology platform
3 that allows consumers to post jobs with details about what they need help with (e.g. time,
4 location and items for transport). Truck owners (called "Helpers") access the Dolly marketplace
5 to request the jobs they want to take. Dolly does not own any vehicles or employ any individuals
6 to perform any moving services. The requirement for a USDOT No. under WAC's 480-14-010,
7 -290, -300 and 480-15-900 are applicable only if a carrier engages in interstate transportation for
8 compensation. Dolly does not own any vehicle and its Helpers do not transport items across
9 state lines. Both actions are required to trigger the necessity to obtain a USDOT No. As a result,
10 Dolly is unable to obtain a USDOT No. and a USDOT No. is unnecessary as no items are
11 transported across state lines.
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13 **III. ARGUMENT AND GROUNDS FOR RELIEF**

14 WAC 480-07-110 provides that the Commission may grant an exemption from or modify
15 the application of its rules in individual cases if consistent with the public interest and the
16 purposes of the underlying regulation:
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18 The commission uses the public interest standard to determine
19 whether to grant an exemption from, or modification to, a
20 commission rule. Factors the commission may consider in making
21 this determination include whether the rule imposes an undue
22 hardship on the requesting person of a degree or a kind different from
23 hardships imposed on other similarly situated persons, and whether
24 the effect of applying the rule to the requesting person would be
25 contrary to the underlying purposes of the rule and the public interest.
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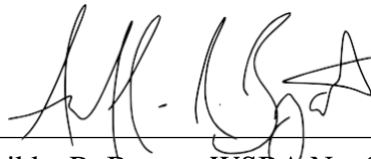
27 An exemption from the requirement to obtain a USDOT No. imposes a hardship on Dolly
28 because the absence of the exemption would require Dolly to acquire vehicles it does not
currently own for the sole purpose of engaging in activities it does not currently engage in. This

1 of course, is an absurd result that is not in the public interest to enforce where WAC 480-15-035
2 defines “public interest” to mean, “the purpose of the underlying regulation, and applicable
3 statutes.” Here, there is public interest that supports Dolly obtaining a USDOT No. in this
4 instance.
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6 **IV. CONCLUSION**

7 For the reasons stated above, Dolly respectfully requests that the Commission grant
8 exemptions from the regulations listed above so Dolly may obtain Household Goods Carrier and
9 Common Carrier permits.
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11 Dated this 10th day of July, 2019.

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16 Armikka R. Bryant, WSBA No. 35765
17 General Counsel, Dolly, Inc.
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