



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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March 11, 2020

RE: *In the Matter of Determining the Proper Carrier Classification of, and Complaint for Penalties Against, Yakima Brothers, LLC*
Docket TV-190498

TO ALL PARTIES:

On October 14, 2019, the Washington Utilities and Transportation Commission (Commission) entered Order 01, Order Instituting Special Proceeding; Complaint Seeking to Impose Penalties; and Notice of Mandatory Appearance at Hearing (Order 01). Order 01 alleged that Yakima Brothers, LLC, (Yakima Brothers or Company) had advertised and offered household goods moving services in the state of Washington without the necessary permit. Order 01 scheduled a hearing for November 13, 2019.

On November 13, 2019, the Commission entered Order 02, Stipulated Initial Order Classifying Respondent as Household Goods Carrier; Ordering Respondent to Cease and Desist; Imposing and Suspending Penalties on Condition of Future Compliance (Order 02). Order 02, among other things, assessed a penalty of \$5,000, a \$4,500 portion of which was suspended on the condition that the Company refrain from further operations as a household goods carrier in the state of Washington without first obtaining a permit. The Company agreed to pay the remaining \$500 portion of the penalty according to the payment schedule detailed in Order 02 subject to the condition that, if a payment was missed, the entire amount including the \$4,500 suspended portion of the penalty would become immediately due and payable.

On February 25, 2020, Commission staff (Staff) filed a letter in this docket informing the Commission that Yakima Brothers had missed three of the four payments to date and requesting the Commission cancel the payment schedule.

On February 27, 2020, the Commission issued a letter in this docket canceling the payment arrangement and imposing the suspended penalty.

On March 5, 2020, the Company sent a letter requesting the Commission reconsider imposing the suspended penalty. In its letter, Yakima Brothers said it had believed the payments would be automatically deducted and was prepared to pay the \$400 outstanding unsuspended portion of the penalty at once.

On March 9, 2020, Staff filed a letter in this docket requesting to rescind its recommendation to impose the full penalty and requesting the Commission allow Yakima Brothers to pay the \$400 unsuspended portion of the penalty immediately.

The Commission finds good cause to allow Yakima Brothers to pay the \$400 outstanding unsuspended portion of the penalty and re-implement suspension of the remaining \$4,500 of the penalty until November 11, 2021, and then waive it, on the condition that the Company refrain from operations as a household goods carrier in the state of Washington without first obtaining a permit. The \$400 unsuspended portion of the penalty is due and payable immediately.

MARK L. JOHNSON
Executive Director and Secretary