

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment)	DOCKET TV-143199
Against)	
)	ORDER 03
GUS & JACK MOVING COMPANY,)	
LLC)	ORDER GRANTING REQUEST
)	FOR PAYMENT
in the amount of \$1,900)	ARRANGEMENT
.....)	

BACKGROUND

- 1 On September 10, 2014, the Washington Utilities and Transportation Commission (Commission) assessed a penalty of \$1,900 (Penalty Assessment) against Gus & Jack Moving Company, LLC (Gus & Jack Moving or Company) for two violations of Washington Administrative Code (WAC) 480-15-560, which adopts by reference 49 C.F.R. Part 396 related to vehicle inspection, repair, and maintenance, and 17 violations of WAC 480-15-570, which adopts by reference 49 C.F.R. Part 391 related to driver qualifications.

- 2 On September 17, 2014, Gus & Jack Moving filed a request for hearing, contesting the violations. The Commission conducted a brief adjudicative proceeding on November 6, 2014. On November 14, 2014, the Commission issued Order 01 Denying Mitigation based on the evidence and testimony presented at hearing.

- 3 On December 3, 2014, Gus & Jack Moving filed a letter requesting review of Order 01. On December 11, 2014, the Commission issued Order 02 Denying Mitigation. The Commission ordered the Company to either pay the penalty or file jointly with Staff a proposed payment arrangement no later than December 22, 2014.

- 4 On December 16, 2014, Staff contacted the Executive Director and Secretary of the Commission explaining that the Company had requested to pay the penalty in installments, and that Staff supports the Company's request. The Company and Staff jointly proposed the following payment schedule:

December 30, 2014	\$271.43
January 30, 2015	\$271.43
February 28, 2015	\$271.43
March 30, 2015	\$271.43
April 30, 2015	\$271.43
May 30, 2015	\$271.43
June 30, 2015	\$271.43

- 5 Staff proposes that if Gus & Jack Moving misses a scheduled payment, the entire amount will become immediately due and payable. Staff further proposes that if Gus & Jack Moving fails to pay the entire \$1,900 penalty by June 30, 2015, the Commission may refer the balance to the Attorney General's Office for collection.

DISCUSSION AND DECISION

- 6 The payment schedule Staff and the Company propose is reasonable. We approve it in full, subject to the conditions Staff recommends. If Gus & Jack Moving misses a scheduled payment, the entire amount will become immediately due and payable. If Gus & Jack Moving fails to pay the entire \$1,900 penalty by June 30, 2015, the Commission may refer the balance to the Attorney General's Office for collection.

ORDER

THE COMMISSION ORDERS THAT:

- 7 (1) Gus & Jack Moving, LLC's request for a payment arrangement is granted. The \$1,900 penalty is due and payable to the Commission according to the following installment schedule:

December 30, 2014	\$271.43
January 30, 2015	\$271.43
February 27, 2015	\$271.43
March 30, 2015	\$271.43
April 30, 2015	\$271.43
May 29, 2015	\$271.43
June 30, 2015	\$271.43

- 8 (2) Gus & Jack Moving, LLC fails to pay any installment by 5:00 p.m. on the date it is due, the unpaid balance will immediately become due and payable without further order by the Commission.
- 9 (3) Gus & Jack Moving, LLC fails to pay any portion of the assessed penalty, the Commission may refer the balance to the Attorney General's Office for collection.
- 10 The Secretary has been delegated authority to enter this order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Olympia, Washington, and effective December 17, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website. 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 website.