



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
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April 27, 2018

RE: *In the Matter of the Investigation of MVP Moving and Storage LLC for Compliance with WAC 480-15-560 and WAC 480-15-470 and the Penalty Assessment against MVP Moving and Storage LLC,*
Dockets TV-170039 and TV-170038 (Consolidated)

TO ALL PARTIES:

On February 21, 2017, the Washington Utilities and Transportation Commission (Commission) issued a Notice of Intent to Cancel and Notice of Brief Adjudicative Proceeding; Setting Time for Oral Statements In the Matter of the Investigation of MVP Moving and Storage LLC (MVP Moving or Company) For Compliance with Washington Administrative Code (WAC) 480-15-560 and WAC 480-15-570 in Docket TV-170039 (Notice of Intent to Cancel). The Notice of Intent to Cancel set a Brief Adjudicative Proceeding for April 4, 2017, at 1:30 p.m.

Also on February 21, 2017, the Commission assessed a penalty of \$6,100 in Docket TV-170038 against MVP Moving for 61 violations of Commission rules, as follows: 55 violations of WAC 480-15-570, which adopts by reference Title 49 of the Code of Federal Regulations (49 C.F.R.) Part 391 related to driver qualifications; one violation of 49 C.F.R. Part 396 related to vehicle inspection, repair, and maintenance; and five violations of WAC 480-15-555 related to criminal background checks for prospective employees.

On April 6, 2017, the Commission entered Order 01, Order of Consolidation; Order Upgrading Safety Rating; Order Imposing and Suspending Penalties (Order 01). Order 01 required MVP Moving to pay a \$6,100 penalty for 61 violations of WAC 480-15 and Title 49 C.F.R., a \$3,100 portion of which was suspended for two years conditioned on the Company (1) maintaining a conditional safety rating, (2) refraining from incurring repeat critical violations of WAC 480-15, and (3) paying the \$3,000 portion of the penalty that was not suspended within 10 days of the effective date of Order 01.

MVP failed to pay the \$3,000 penalty by the deadline, and on May 31, 2017, the Commission entered Order 02, Order Imposing Suspended Penalty.

On June 27, 2017, MVP Moving made a \$3,100 payment and requested mitigation of the penalty or, in the alternative, that it be permitted to pay the remaining \$3,000 penalty in monthly installments.

On July 12, 2017, the Commission entered Order 03, Granting Payment Arrangement (Order 03). Order 03 required MVP Moving to pay the remaining \$3,000 in ten monthly installments and stated that if the Company failed to pay any installment by 5 p.m. on the date it was due, the unpaid balance would immediately become due and payable without further order, and that the Commission could cancel the Company's household goods permit by order in this docket.

On April 26, 2018, Commission staff (Staff) filed a letter in this docket informing the Commission that MVP Moving has made three of the nine payments due since Order 03 was entered, none of them timely. Staff requests that the remaining balance become immediately due and payable, and that the Commission cancel MVP Moving's household goods moving permit for non-payment of penalties.

Due to MVP Moving's failure to comply with the terms of Order 03, the \$1,900 outstanding balance of the penalty is now due and payable. The Commission will issue a separate notice of intent to cancel MVP's household goods permit providing the Company with an opportunity to request a hearing.

STEVEN V. KING
Executive Director and Secretary