

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of

JAMES MOSELEY D/B/A YOU GOT IT  
MOVERS

For Compliance with WAC 480-15-560 and  
WAC 480-15-570

DOCKET TV-190808

NOTICE OF INTENT TO CANCEL  
PERMIT AS A HOUSEHOLD GOODS  
CARRIER

NOTICE OF BRIEF ADJUDICATIVE  
PROCEEDING; SETTING TIME FOR  
ORAL STATEMENTS  
**(Set for November 14, 2019, at 2 p.m.)**

- 1 Pursuant to RCW 81.80.130, the Washington Utilities and Transportation Commission (Commission) has authority to regulate common carriers, including household goods carriers, with respect to safety of operations. WAC 480-15-450 provides that the Commission may cancel a household goods carrier's permit and operating authority for good cause, including when the carrier fails to comply with safety requirements. Commission staff (Staff) recommends that the Commission cancel the permit of James Moseley d/b/a You Got It Movers (You Got It Movers or Company) for good cause due to the Company's ongoing failure to comply with applicable laws and Commission rules pertaining to the operation of household goods carriers, including safety requirements set in law or rule
- 2 WAC 480-15-999 adopts by reference Title 49 of the Code of Federal Regulations (C.F.R.), pertaining to safety requirements for household goods carriers. WAC 480-15-560 specifically requires carriers to comply with 49 C.F.R. Part 385. 49 C.F.R. § 385.13 prohibits motor carriers from operating beginning on the 61st day after the date of a notice of proposed unsatisfactory rating. Pursuant to 49 C.F.R. § 385.17, a carrier that receives a proposed unsatisfactory or conditional safety rating may request a change in its safety rating based on evidence that the company has taken corrective actions to address the identified violations and that the company's operations currently meet the safety fitness standards.
- 3 On June 22, 2015, the Commission granted the Company a provisional household goods carrier permit.
- 4 On January 20, 2017, the Commission canceled the Company's permit due to insufficient proof of insurance. On October 27, 2017, the Commission granted the Company's request to reinstate its provisional household good carrier permit.
- 5 On April 20, 2018, the Commission again canceled the Company's permit due to

insufficient proof of insurance. On August 3, 2018, the Commission granted the Company's request to reinstate its provisional household goods carrier permit.

- 6 In September 2019, Staff conducted an investigation of You Got It Movers' compliance with the safety requirements in WAC 480-15. As a result of the compliance investigation, Staff documented 81 violations of Commissions safety rules and proposed a conditional safety rating for the Company. Staff notified the Company of this proposed rating on September 23, 2019.
- 7 Under the circumstances presented in this case, the Commission determines that it will grant Affordable Movers the same opportunity as companies that have received a proposed unsatisfactory rating to provide evidence, in the form of an approved safety management plan, showing that the Company has taken corrective actions to address the identified violations. You Got It Movers must come into compliance with applicable laws by obtaining Commission approval of a safety management plan no later than November 22, 2019. If the Company fails to come into compliance by that date, the Commission will cancel its household goods carrier permit effective November 23, 2019. Thereafter, as an unregistered company, You Got It Movers would be prohibited from providing household goods carrier services in the state of Washington.
- 8 **THE COMMISSION GIVES NOTICE: That it intends to cancel the permit and authority of You Got It Movers to provide services as a household goods carrier effective November 23, 2019, for cause, following a hearing on the factual allegations set out above, unless the Company obtains Commission approval of a safety management plan prior to that date.**
- 9 Pursuant to WAC 480-15-450(2) the Commission will hold a hearing prior to cancelling a household goods permit for a company's failure to comply with applicable laws and Commission rules pertaining to operations of household goods carriers, including safety requirements set in law or rule. Accordingly, the Commission determines that a brief adjudicative proceeding is appropriate to determine whether the Commission should cancel You Got It Movers' household goods carrier permit.
- 10 **THE COMMISSION GIVES FURTHER NOTICE: That it will hold a brief adjudicative proceeding in this matter at 2 p.m. on November 14, 2019, in the Commission's Richard Hemstad Hearing Room, 621 Woodland Square Loop SE, Lacey, Washington.**
- 11 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.

- 12 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 Lacey, Washington, copies of documents in the current record for use by the parties or others who may want to review them.
- 13 **You Got It Movers must submit its proposed safety management plan no later than 5 p.m. on November 7, 2019.** Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file any such documents with the Commission, a list enumerating and describing any such documents **no later than 5 p.m. on November 7, 2019** and bring four (4) copies of those documents to the hearing. Filing shall be in accordance with WAC 480-07-140.
- 14 **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.**
- 15 The names and mailing addresses of all parties and their known representatives are shown as follows:

Commission: Washington Utilities and  
Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

Representative: Joe Dallas  
Assistant Attorney General  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1192  
[joe.dallas@utc.wa.gov](mailto:joe.dallas@utc.wa.gov)

Respondent: James Moseley d/b/a You Got It Movers  
1824 Walnut St.  
Everett, WA 98201  
(425) 268-2589  
[Jamespm1985@gmail.com](mailto:Jamespm1985@gmail.com)

Representative: Unknown

16 Administrative Law Judge **Rayne Pearson**, from the Commission's Administrative Law Division, will preside during this proceeding.<sup>1</sup>

DATED at Lacey, Washington and effective **October 2, 2019**.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON  
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary  
Washington Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

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<sup>1</sup> Judge Pearson can be reached at (360) 664-1136 or rayne.pearson@utc.wa.gov.

**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: Mark L. Johnson, 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.: (\_\_\_\_) \_\_\_\_\_