

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of

ASD VENTURES INC. d/b/a COLLEGE  
HUNKS HAULING JUNK & MOVING

For Compliance with WAC 480-15-555,  
WAC 480-15-560, and WAC 480-15-  
570.

DOCKET TV-210654

NOTICE OF INTENT TO CANCEL

NOTICE OF BRIEF ADJUDICATIVE  
PROCEEDING; SETTING TIME FOR  
ORAL STATEMENTS

**(Set for October 12, 2021, at 1:30 p.m.)**

- 1 Pursuant to RCW 81.80.130, the Washington Utilities and Transportation Commission (Commission) regulates the safe operation of motor freight carriers, including household goods carriers.
- 2 The Commission has adopted rules governing the safe operations of household goods carriers. Those rules, codified at WAC 480-15-555, 480-15-560, and 480-15-570, incorporate by reference, among other provisions of federal law, Title 49 of the Code of Federal Regulations (C.F.R.) Parts 385, 391, 395, and 396.
- 3 ASD Ventures Inc. d/b/a College Hunks Hauling Junk & Moving (ASD or Company) engages in business as a household goods carrier under Commission-issued provisional permit number THG-068349.
- 4 In August 2020, the Commission notified ASD of its intent to cancel the Company's provisional permit after the Commission's staff (Staff) completed a compliance review of ASD's operations that resulted in a proposed unsatisfactory safety rating.
- 5 ASD requested an upgrade to that proposed safety rating based on its submission of a safety management plan, which provided evidence that it had taken corrective actions to address the violations identified by Staff and that its operations met the safety fitness standard specified in 49 C.F.R. §§ 385.5 and 385.7.
- 6 The Commission upgraded ASD's proposed unsatisfactory safety rating to conditional after approving the Company's safety management plan. Based on that upgrade, the Commission refrained from cancelling ASD's provisional permit. When ordering the upgrade, the Commission extended ASD's provisional period.
- 7 Between July and August 2021, Staff reviewed ASD's compliance with the requirements of WAC 480-15-555, WAC 480-15-560, and WAC 480-15-570. During that review, Staff documented one acute violation of 49 C.F.R. § 391.15(a), two critical violations of 49

C.F.R. § 391.45(a), three critical violations of 49 C.F.R § 391.51(b)(2), two critical-type violations of WAC 480-15-555, and other violations of 49 C.F.R. Parts 391, 395, and 396.

- 8 On August 20, 2021, Staff completed its investigation and notified ASD that the investigation resulted in a proposed conditional safety rating for the Company.
- 9 The Commission will grant permanent operating authority to a carrier that successfully completes its provisional period. Doing so requires the carrier to, among other things, receive a satisfactory safety rating in a review conducted by Staff. WAC 480-15-305(1)(c). If a carrier fails to receive a satisfactory safety rating within 18 months of obtaining its provisional permit, the Commission will cancel the carrier's provisional permit and dismiss the company's application for permanent authority unless the Commission finds good cause to extend the provisional period. WAC 480-15-305(3).
- 10 Staff recommends that the Commission cancel ASD's provisional household goods carrier permit based on its failure to obtain a satisfactory safety rating in either of the compliance reviews conducted by Staff during ASD's extended provisional period.
- 11 Under the circumstances presented in this case, the Commission determines that it will afford ASD 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 it has taken corrective action to address the identified violations. ASD must come into compliance with applicable laws by obtaining a Commission approval of a safety management plan no later than October 19, 2021. If the Company fails to come into compliance by that date, the Commission will cancel its household goods carrier permit effective October 20, 2021. Thereafter, as an unregistered company, ASD would be prohibited from providing household goods carrier service in the state of Washington.
- 12 **THE COMMISSION GIVES NOTICE That it intends to cancel the permit and authority of ASD to provide services as a household goods carrier effective October 20, 2021, for cause, following a hearing on the factual allegations set out above, unless ASD obtains Commission approval of a safety management plan prior to that date.**
- 13 Pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission schedules a hearing on its own initiative and determines that a brief adjudicative proceeding is appropriate to determine whether the Commission should cancel ASD's household goods carrier permit.
- 14 **THE COMMISSION GIVES FURTHER NOTICE That it will hold a virtual brief adjudicative proceeding in this matter at 1:30 p.m. on October 12, 2021. To attend the hearing by telephone, please call (253) 372-2181 and enter the conference ID: 373 360 193. To attend via Microsoft Teams, please use the following link: [Click here to join the meeting.](#)**

- 15 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.
- 16 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.
- 17 **ASD must submit its proposed safety management plan no later than 5 p.m. on September 28, 2021.** Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission any such documents as well as a list enumerating and describing any such documents **no later than 5 p.m. on October 5, 2021.** Filing shall be in accordance with WAC 480-07-140 and -145.
- 18 **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.**
- 19 The names and mailing addresses of all parties and their known representatives are shown as follows:

Commission: Washington Utilities and  
Transportation Commission  
621 Woodland Square Loop SE  
Lacey, WA 98503

Representative: Jeff Roberson  
Assistant Attorney General  
621 Woodland Square SE  
Lacey, WA 98503  
(360) 664-1188  
[jeff.roberson@utc.wa.gov](mailto:jeff.roberson@utc.wa.gov)

Respondent: William Beasley  
President  
2114 6<sup>th</sup> Street  
Bremerton, WA 98132-3946

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

DATED at Olympia, Washington and effective September 13, 2021

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  
621 Woodland Square Loop S.E.  
Lacey, WA 98503  
(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](mailto: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: Amanda Maxwell, P. O. Box 47250, Olympia, WA 98504-7250, or via email to [amanda.maxwell@utc.wa.gov](mailto:amanda.maxwell@utc.wa.gov). (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.: (\_\_\_\_) \_\_\_\_\_