

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Penalty Assessment
Against

SAFE-TO-GO-MOVERS, LLC, d/b/a
JAMES & JOHN MOVERS

in the amount of \$10,200

DOCKET TV-170233

ORDER 04

GRANTING PAYMENT ARRANGEMENT

BACKGROUND

- 1 On April 19, 2017, the Washington Utilities and Transportation Commission (Commission) assessed a \$10,200 penalty (Penalty Assessment) against Safe-To-Go-Movers, LLC, d/b/a James & John Movers (Safe-To-Go-Movers or Company) for 103 critical violations of Washington Administrative Code (WAC) 480-15-570, which adopts by reference Title 49 Code of Federal Regulations (C.F.R.) Part 391 related to driver qualifications and Part 395 related to driver hours of service.
- 2 On April 27, 2017, Safe-To-Go-Movers responded to the Penalty Assessment, admitting the violations and requesting mitigation of the penalty based on the written information provided.
- 3 On May 8, 2017, the Commission entered Order 01, Order Granting Mitigation to \$5,200 (Order 01). Order 01 directed the Company to either pay the penalty or file jointly with Staff a proposed payment arrangement no later than May 19, 2017.
- 4 On May 16, 2017, Safe-To-Go-Movers filed with the Commission a request for review of Order 01.
- 5 On June 5, 2017, the Commission entered Order 02, Final Order (Order 02), which imposed the full \$5,200 penalty, but suspended a \$2,600 portion for a period of two years subject to the following conditions: (1) Safe-To-Go-Movers must either pay the \$2,600 portion of the penalty that is not suspended within 90 days of the date of Order 02 or file jointly with Staff a proposed payment arrangement within 20 days of the date of Order 02; and (2) Safe-To-Go-Movers may not incur any critical violations of WAC 480-15 or Title 49 C.F.R. upon re-inspection.
- 6 On July 3, 2017, the Commission entered Order 03, Order Granting Payment Arrangement, which allowed the Company to pay the portion of the penalty that was due in five monthly payments.

7 On June 17, 2019, Staff filed a letter in this docket informing the commission that Safe-To-Go Movers had completed the payment plan as of October 2017, but that, upon re-inspection, Staff discovered 129 violations of acute and critical regulations of WAC 480-15 and Title 49 C.F.R., which resulted in a proposed unsatisfactory safety rating.

8 On June 19, 2019, the Commission imposed the \$2,600 suspended portion of the penalty.

9 On July 3, 2019, Commission staff (Staff) filed a letter with the Commission explaining that the Company requested to pay the penalty in 10 monthly installments, and that Staff supports the request. The Company and Staff jointly propose the following payment schedule:

Installment	Due Date	Amount
1	July 22, 2019	\$260
2	August 20, 2019	\$260
3	September 20, 2019	\$260
4	October 21, 2019	\$260
5	November 20, 2019	\$260
6	December 20, 2019	\$260
7	January 20, 2020	\$260
8	February 20, 2020	\$260
9	March 20, 2020	\$260
10	April 20, 2020	\$260

10 Staff also proposes that if Safe-To-Go-Movers misses one payment, the entire balance will become due and payable immediately.

DISCUSSION

11 The installment payment schedule Staff and the Company propose is reasonable. The Commission approves the proposal with one modification. Safe-To-Go-Movers may make additional payments in advance of the payment due dates or pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make timely monthly installments until the full amount of \$2,600 is satisfied.

ORDER

THE COMMISSION ORDERS THAT:

- 12 (1) The \$2,600 penalty is due and payable to the Commission in installments as set out in paragraph 9, above.
- 13 (2) If Safe-To-Go-Movers, LLC, d/b/a James & John Movers fails to pay any installment by 5 p.m. on the date it is due, the unpaid balance will immediately become due and payable without further order by the Commission.
- 14 (3) Safe-To-Go-Movers, LLC, d/b/a James & John Movers may make additional payments in advance of the payment due dates or pay an increased amount on the due dates, but no additional payment or increased amount will relieve the Company of its obligation to make timely monthly installments until the full amount is satisfied.
- 15 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 July 15, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
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.