

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper
Carrier Classification of, and Complaint
for Penalties against:

BOBBY WOLFORD TRUCKING &
SALVAGE, INC. d/b/a BOBBY
WOLFORD TRUCKING &
DEMOLITION, INC.

In the Matter of Determining the Proper
Carrier Classification of, and Complaint
for Penalties against:

BOBBY WOLFORD TRUCKING &
SALVAGE, INC. d/b/a BOBBY
WOLFORD TRUCKING &
DEMOLITION, INC.

DOCKET TG-151573
(*Consolidated*)

ORDER 05

Docket TG-143802
(*Consolidated*)

ORDER 06

ORDER GRANTING JOINT
MOTION FOR PAYMENT
ARRANGEMENT

BACKGROUND

- 1 On June 17, 2016, the Washington Utilities and Transportation Commission (Commission) entered Order 03/04, Final Order Modifying Initial Order (Final Order), in the above-captioned dockets. That order modified the penalty assessment against Bobby Wolford Trucking & Salvage, Inc. d/b/a Bobby Wolford Trucking & Demolition, Inc. (Bobby Wolford Trucking or Company) in Order 02/03, Initial Order (Initial Order) for operating as a solid waste carrier without the required Commission-issued certificate. Specifically, the Commission assessed a penalty of \$73,800, of which the Commission suspended \$35,000 for a period of two years on the condition that Bobby Wolford Trucking complied with the orders in these dockets.
- 2 On June 27, 2016, Bobby Wolford Trucking filed a Petition for Stay of Final Order and Petition for Reconsideration of Final Order (Petitions). On July 8, the Commission entered Order 04/05 denying the Company's Petitions.
- 3 On August 9, 2016, the Company and Commission staff (Staff) filed a Joint Motion for Leave for Company to Comply with Financial Penalty via Payments (Joint Motion). The

Joint Motion describes a proposed payment plan that requires the Company to pay the remaining penalty of \$21,186.30 from Docket TG-143802 in a single payment, but allows the Company to pay the \$38,100 penalty from Docket TG-151573 in twelve monthly installments of \$3,175.00. Under the proposed payment plan, Bobby Wolford Trucking would make the following payments:

Proposed Payment Plan		
Installment	Due Date	Amount
1	August 26, 2016	\$24,361.30 ¹
2	September 26, 2016	\$3,175.00
3	October 26, 2016	\$3,175.00
4	November 26, 2016	\$3,175.00
5	December 26, 2016	\$3,175.00
6	January 26, 2017	\$3,175.00
7	February 26, 2017	\$3,175.00
8	March 26, 2017	\$3,175.00
9	April 26, 2017	\$3,175.00
10	May 26, 2017	\$3,175.00
11	June 26, 2017	\$3,175.00
12	July 26, 2017	\$3,175.00
Total:		\$59,286.30

- 4 The Parties propose that the Company be allowed to make additional payments in advance of the scheduled due dates or pay an increased amount on these due dates for the purpose of discharging its full payment obligation early, but that no additional payment or increased amount will relieve the Company of its obligation to make its timely minimum monthly installment until the full unsuspended amount of \$59,286.30 is satisfied.
- 5 The Parties further propose that, should the Company fail to pay any installment by the due date, or fail to pay at least the minimum monthly installment by the due date, the entire remaining balance of payments and the entire suspended portion of the penalty will become immediately due and payable without further Commission order.

¹ \$24,361.30 includes the outstanding \$21,186.30 from Docket TG-143802 plus the first of twelve monthly installments of \$3,175.00 from Docket TG-151573. The Parties note that the Company submitted this payment to the Commission on August 8, 2016.

DISCUSSION AND DECISION

6 The payment schedule proposed jointly by Staff and the Company is reasonable. We approve it in full, subject to the conditions proposed by the Parties. If Bobby Wolford Trucking misses a scheduled payment, the entire amount of the penalty, including the \$35,000 suspended portion of the penalty, will become immediately due and payable.

ORDER

THE COMMISSION ORDERS That

- 7 (1) The Joint Motion for Leave for Company to Comply with Financial Penalty via Payments, filed jointly by Staff and Bobby Wolford Trucking & Salvage, Inc. d/b/a Bobby Wolford Trucking & Demolition, Inc., is GRANTED.
- 8 (2) The \$59,286.20 portion of the penalty that is not suspended is due and payable to the Commission according to the following installment schedule:

Payment Plan		
Installment	Due Date	Amount
1	August 26, 2016	\$24,361.30 ²
2	September 26, 2016	\$3,175.00
3	October 26, 2016	\$3,175.00
4	November 26, 2016	\$3,175.00
5	December 26, 2016	\$3,175.00
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Total:		\$59,286.30

² \$24,361.30 includes the outstanding \$21,186.30 from Docket TG-143802 plus the first of twelve monthly installment of \$3,175.00 from Docket TG-151573. The Parties note that the Company submitted this payment to the Commission on August 8, 2016.

If a due date falls on a holiday or weekend, the payment is due the following business day.

- 9 (3) If Bobby Wolford Trucking & Salvage, Inc. d/b/a Bobby Wolford Trucking & Demolition, Inc. fails to pay any installment by 5:00 p.m. on the date it is due, or, if the due date falls on a holiday or weekend, the first business day thereafter, the unpaid balance will immediately become due and payable without further order by the Commission.
- 10 (4) If Bobby Wolford Trucking & Salvage, Inc. d/b/a Bobby Wolford Trucking & Demolition, Inc. fails to pay any installment by 5:00 p.m. on the date it is due, or, if the due date falls on a holiday or weekend, the first business day thereafter, the \$35,000 suspended portion of the penalty will also immediately become due and payable without further order by the Commission.
- 11 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 August 15, 2016.

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.