



Washington Movers Conference

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James R. Tutton, Jr.
Executive Director

TV-210535

March 25, 2022

Ms Amanda Maxwell, Executive Director/Secretary
Utilities and Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503

Dear Ms Maxwell:

Reference: UTC NOTICE OF CONSOLIDATION and NOTICE OF OPPORTUNITY TO SUBMIT WRITTEN COMMENTS RE: Inquiry regarding updates to Tariff 15-C

Thank you for the opportunity to provide additional comments on behalf of the Washington Movers Conference (WMC) regarding updates to Tariff No. 15-C applicable to regulated intrastate Household Goods (HHG) carriers operating within Washington State.

Some Background Information -

- a. **Utilities and Transportation Commission Responsibility (RCW 81.80.130)**
- To the extent allowed under 49 U.S.C. Sec. 14501, the commission shall: Supervise and regulate every common carrier in this state; make, fix, alter, and amend, just, fair, reasonable, minimum, maximum, or minimum and maximum, rates, charges, classifications, rules, and regulations for all common carriers; regulate the accounts, service, and safety of operations thereof; require the filing of reports and other data thereby; and supervise and regulate all common carriers in all other matters affecting their relationship with competing carriers of every kind and the shipping and general public. The commission may by order approve rates filed by common carriers in respect to certain designated commodities and services when, in the opinion of the commission, it is impractical for the commission to make, fix, or prescribe rates covering the commodities and services.
- b. **Statement of Fact** – UTC Meetings conducted relative to possible changes to the UTC HHG Tariff No. 15-C involving changes to Tariff No. 15-C ITEMS 10, 100, 102(5), 230(2), and 230(7)(a)(ii) requested by Clutter Inc. **were conducted without representation** of the WMC or any individual regulated HHG carrier member(s) of the WMC.

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- c. **Intrastate Moving & Storage** - Intrastate moving and storage is a labor intensive industry with the intent to provide safe and efficient relocation of Washington's consumer's HHGs within Washington State regulated by the Washington Utilities and Transportation Commission.

Intrastate HHG carriers come in all sizes from small, medium, and large businesses. Some provide just provide regulated HHG moving within Washington State while others may also be involved in Interstate HHG moving or HHG relocations for civilian and military members of the Department of Defense.

Consumer Protections are provided by WAC 480-15 and the UTC's Intrastate HHG Tariff No. 15-C to ensure consumers are provided a safe and efficient relocation, workers entering the consumer's residence are honorable and can be trusted by the consumer as the workers move between all rooms of the residence performing their duties in proper packing and loading the personal and sometimes valuable consumers HHGs.

WAC 480-15 establishes standards for public safety, fair competitive practices, just and reasonable charges, nondiscriminatory application of rates, adequate and dependable service, valuation needs, procedures for handling consumer complaints and claims, as well as compliance with state statutes, rules, and commission orders.

UTC HHG Tariff No. 15-C applies to the intrastate transportation of household goods. Every household goods carrier must develop, establish, and maintain policies, processes and procedures that ensure it complies with all rates, charges, terms, conditions, and directions contained in this tariff.

For the safety of consumers, workers hired by moving companies are Background Checked, Drug and Alcohol Tested as appropriate, and company trained in the work to be performed such as proper packing techniques, proper lifting to prevent injury or damage, and the proper loading/offloading of company owned trucks to prevent damage to the consumers HHGs.

Based on the nature of the business, the regulated intrastate HHG moving industry must have a sound structure for work provided at reasonable rates agreed to by both the consumer and the moving company. Thus UTC HHG Tariff No. 15-C. All regulated intrastate HHG carriers must act within the guidance provided by the Consumer Protections and HHG Tariff No. 15-C thereby resulting in a uniform playing field.

Pertinent information -

- a. **Storage-In Transit** - is temporary warehouse storage of a shipment for up to 90 days or less pending further transportation. Property may be placed into SIT one or more times but may not exceed a total of 90 days. This temporary storage may be in either a warehouse owned by the carrier or in a warehouse the carrier has chosen as its agent. **Liability for the shipment while in SIT is**

the responsibility of the HHG carrier. A move that contains SIT is one continuous move from origin to SIT to the final destination.

- b. Permanent Storage** - is warehouse storage of a shipment for longer than 90 days. The final destination of the move is the warehouse. **The carrier's liability for the shipment ends upon delivery to the warehouse.** At this point, liability for the shipment while in permanent storage is the responsibility of the warehouse following completion of the required "Warehouse Receipt and Contract" (WR) signed by both the Consumer and the Warehouseman. The WR when completed contains the Valuation coverage provided by the Warehouse agreed to by the consumer.
- c. Storage-In-Vehicle** - is temporary storage of a shipment that remains on or in the carrier's vehicle (van or trailer) instead of being placed in a warehouse. This service is provided short term at the carrier's convenience.
- d. Small Goods Transportation and Storage –**
Is the transportation of household goods by a carrier from a customer's residence to a warehouse, storage unit, or other storage facility owned or rented by the carrier with the intent to later transport the goods back to the residence.
 - a.** Small Goods Transportation and Storage is limited to a shipment of twenty-five household goods articles or a maximum of 500 pounds from each customer per week.
 - b.** For purposes of Small Goods Transportation and Storage, a household goods article is defined as a box containing household goods that can reasonably be carried by one person or an unboxed household good item that can reasonably be carried by one person.

The following are the relevant comments of the Washington Movers Conference keyed to the questions asked in above reference.

1. Changing Storage-In-Transit.

1a. – NO! 90 days or less for "storage-in-transit" of a consumers HHGs is available for the convenience of the consumer and is an appropriate time period. Consumers have a variety of reasons for needing "storage-in-transit", i.e. the residence at destination may not be readily available; the consumer may not have selected a residence at destination at time of expected delivery date, the consumer may have an unexpected short term medical condition precluding them from readily accepting their HHGs at destination, or a family issue may have come up requiring the HHGs to remain in storage-in-transit.

1b. – There should be no change to the storage-in-transit length of time period. The consumer has the convenience to remove their HHGs from storage-in-transit at any time within the 90 day period with proper notice to the HHG carrier.

1c. - Whenever the consumer elects to place their HHGs into Permanent Storage, the warehouse is considered the final destination of the shipment and the HHGs carrier's liability for the property ends when the property is transferred into permanent storage. Permanent storage charges within Washington State are not regulated.

1d. – The consumer is properly protected relative to rates and charges, and their HHG in storage-in-transit have appropriate valuation coverage selected by the consumer on the Uniform Household Goods Bill of Lading.

2. Contract for Small Goods Transportation and Service.

2a. – While the Contract called for in HHG Tariff No. 15-C ITEM102 is similar to the HHG Bill of Lading shown in ITEM 95, there is sufficient commonality between the Uniform Household Goods Bill of Lading and the Contract for Small Goods Transportation to require both to remain in the HHG Tariff No. 15-C for the choice of use by the HHG carrier.

3. Billing Customers in 15-Minute Increments.

3a. – No. The HHG carrier must ensure that the customer specifically chooses Storage-in-Transit (SIT), Permanent Storage, Storage-in-Vehicle (SIV), or Small Goods Transportation and Storage service by signing or initialing on the Uniform Household Goods Bill of Lading or Contract. The customer is responsible for the added charges for delivery service, storage service, warehouse handling, valuation charges, and final delivery of the shipment. Handling HHGs moving into storage takes several steps that would be difficult to track in one-minute increments.

Who would track the time of all employees who would be working in different areas within the residence? Besides, employees have required work breaks and lunch breaks which are not chargeable and may occur at different intervals during the day.

For HHGs moving to storage at the customer's request, will require –

1. **Drive Time** – Drive time typically from the moving company's business location to the customer's residence.
2. **Preparation Time** - Time to off-load truck with items to prepare the HHGs for movement and meet with the customer to fully review what is going to storage.
3. **Packing** - If the customer has not done so or wants the moving company to do the packing.
4. **Inventory of HHGs** – Complete a Descriptive Inventory containing items going into storage.
5. **Loading** - Removing the HHGs from the house to the truck and loading the truck properly to protect the HHGs from damage enroute to the storage facility.
6. **Clean-up** - Retrieve material handling equipment, clean up any trash resulting from packing if done, and place all back on the truck.

7. **Paperwork** - Complete the paperwork with the customer, insure all items the customer wants to go to storage have been loaded, and obtain signature and necessary initials to complete the release from the customer.
8. **Drive Time** – Drive time back to the company’s location or where the HHGs will be placed into storage.
9. **Off Loading** – First is removal of the material handling equipment and trash that will likely be in the back of the truck. Carefully off-load the HHGs from the truck and place in the designated area in the storage warehouse, likely into individual customer storage vaults. Properly protect the goods with blanket wraps or similar material if required

3b. – Retain the 15-minute increment only for reporting work time consumed.

3c. - No. Some elements required for proper invoicing are a judgement call. Upon leaving the consumer, it would be impossible to accurately let the consumer know what the drive time back to the terminal will amount to based on congestion on Washington’s highways and roadways.

4. Minimum Hours for Work on Weekends, Holidays and Before 8am and after 5pm on Weekdays.

4a. – No. Work on Saturdays, Holidays, and before 8:00am and after 5:00pm is performed at the consumer’s request following the consumer’s signature on the Estimated Costs for Services or a Supplemental Estimated Costs for Services. Sometimes, that’s the only time the consumer can be available. For the HHG carrier to meet the consumer’s request will take extra work time to determine workers availability on the weekend or will weekend work put the worker into an overtime pay situation. This could easily be the case for a small regulated HHG moving company with not many employees. Plus sufficient supervisors will need to be available to open up the terminal, issue vehicle keys, and provide the appropriate paperwork for the job at hand.

5. Tariff No. 15-C Minimum Rates

5a. – Yes, the Minimum Rate Band is reasonable to maintain sufficient structure to allow HHG carriers to understand their costs and the need to charge appropriately for their business needs. The minimum Rate band precludes HHG carriers from giving away their services.

5b. – No alteration needed.

5c. – The same as always with an appropriate rate study.

6. Tariff No. 15-C Maximum Rates.

6a. No. The Washington Movers Conference (WMC) Petition asks to remove the Maximum Rate Band from HHG Tariff No. 15-C so intrastate HHG movers can legally charge rates allowable **following open discussion with the consumer** and that meet the moving companies desire to stay in business. Rampant inflation and state legislative actions impacting intrastate HHG moving business operations

severely impact regulated intrastate moving companies from achieving a reasonable return on their investment in their business. Current consumer protection rules in place protect both the consumer and the intrastate moving company for this request.

2. The Washington State inflation rate is growing. Consumer prices have surged once again, increasing 6.8 percent over the latest 12-month period — making it the highest such increase in nearly 40 years. While prices increased across the board, prices for gas, food, used and new vehicles were the major contributors, according to the Bureau of Labor Statistics.

3. Data released this month by the Bureau of Labor Statistics show gas prices nationwide have surged just over 58 percent and food prices were up 6.1 percent in November over the past year.

4. Packing material for HHG moves have seen three increases from wholesalers in the past year for example.

5. With approval of the WMC Petition to remove the Maximum Rate Band from the HHG Tariff No. 15-C, intrastate HHG moving companies could adjust their rate item pricing based on market increases **(with approval by the consumer)** by the customer's signature on the Estimated Costs for Services form without having to constantly go to the UTC for HHG Tariff No. 15-C individual rate increases thereby saving industry and the Commission time and money. And these HHG Tariff increase requests take an inordinate amount of time to complete and be placed into use by the HHG carrier.

It is the WMC's utmost concern, since the UTC regulates intrastate HHG moving and storage companies, that they understand the need for and ensure a level playing field for all.

The WMC looks forward to the upcoming UTC scheduled Stakeholder meetings related to the foregoing issues.

I am available for questions/comment regarding this Petition. Telephone: (206) 499-9216.

A handwritten signature in black ink, appearing to read "J. Tutton, Jr.", with a large, stylized flourish at the end.

James R. Tutton, Jr.
Executive Director