

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of

MARSIK MOVERS, LLC.

For Compliance with WAC 480-14-300, WAC 480-15-560, and WAC 480-15-590

DOCKET TV-231020

ORDER 03

GRANTING REQUEST FOR
CLARIFICATION; REVISING
ORDER 01

BACKGROUND

- 1 On February 28, 2024, the Commission entered Order 01, rejecting the Safety Management Plan (SMP) submitted by Marsik Movers, LLC (Marsik Movers or Company) and canceling its provisional authority.
- 2 On March 4, 2024, Staff filed a motion for a continuance to allow additional time to draft a motion for clarification. This motion was granted by Order 02 on March 6, 2024 – which set a deadline of March 22, 2024, for the motion to clarify.
- 3 On March 21, 2024, Staff filed a Motion for Clarification of Order 01. Therein, Staff took issue with various citations in Order 01 and with portions of Order 01 which discussed information that appeared to be missing from the record. In the absence of further clarification, Staff requested guidance as to its investigatory practice.

DISCUSSION AND DECISION

- 4 We grant Staff’s Motion. Pursuant to Washington Administrative Code (WAC) 480-07-825(3), “[a]ny party that does not seek to change the substantive outcome or reasoning of an initial order may file a motion for clarification of that order within five days after the commission serves the order.” Upon review, we agree with Staff that Order 01 contained a number of errors. These errors will be corrected in Revised Order 01, which will be issued in tandem with this Order.
- 5 Additionally, we find that the extended nature of this clarification process may have interfered with the Company’s ability to determine if it wished to file a post-order

motion. As a result, pursuant to WAC 480-15-035,¹ we find it appropriate to *sua sponte* grant Marsik Movers an exemption to WAC 480-15-450 (4) extending post-order deadlines in order to afford the Company the opportunity to file for reinstatement of its permit. Marsik Movers shall have thirty (30) days from the date of this order to file its application for reinstatement of its permit. For similar reasons, we grant ourselves an exemption from the five-day deadline for orders in response to motions for clarification.²

ORDER

THE COMMISSION ORDERS THAT:

- 6 (1) The Motion for Clarification filed by Commission Staff on March 21, 2024, is granted.
- 7 (2) Order 01 is stricken, and the attached Revised Order 01 supersedes it.
- 8 (3) Marsik Movers, LLC shall have thirty (30) days from the date of this Order to file an application for reinstatement of its permit. However, if the carrier does not successfully recertify, the twelve (12) month period described in WAC 480-15-302(11) shall run from February 28, 2024, the original date of cancellation.

Dated at Lacey, Washington, and effective May 7, 2024

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Bijan Hughes

Bijan Hughes

Administrative Law Judge

¹ See WAC 480-15-035 (1) The commission may grant an exemption of any rule in this chapter when doing so is consistent with the public interest, the purposes underlying regulation, and applicable statutes.

² WAC 480-07-825(3)(d).