

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

**NOTICE OF PENALTIES INCURRED AND DUE FOR VIOLATIONS OF
LAWS RULES AND REGULATIONS**

PENALTY ASSESSMENT NO: TV-051758

PENALTY AMOUNT: \$200.00

HOUSEHOLD GOODS CARRIER

Yakima Transfer and Storage Company
7 West Mead Avenue
Yakima, WA 98902

The Commission believes that Yakima Transfer and Storage Company (Yakima Transfer) committed one or more violations of Washington State Laws or Commission rules; specifically, WAC 480-15-560, which requires that all motor vehicles must at all times have their vehicles maintained in a safe condition and be free of defects likely to result in an accident or breakdown. As a result, the Commission hereby notifies you that it has assessed penalties against Yakima Transfer in the amount of \$200.00. The basis for this penalty assessment is as follows:

On July 19, 2005, Motor Carrier Safety Investigator Leon Macomber performed a compliance review. Out of the four vehicles inspected, Investigator Macomber placed one out of service for serious defects. When Investigator Macomber performed a safety recheck on October 25, 2005, he placed two out of the four vehicles inspected out of service for defective break adjustments. The vehicle out-of-service ratio rose from 25% in July to 50% in October. As a result, the Commission is assessing a \$100.00 penalty against Yakima Transfer for one violation of WAC 480-15-560 for each vehicle placed out of service, for a total penalty of \$200.00.

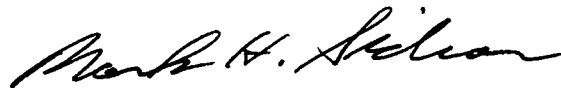
Penalties are due and payable upon receipt of this penalty notice. If for any reason you believe the violations described did not occur, you may request a hearing to contest the occurrence of the violations. If you have an explanation as to why the violations occurred, or have other facts you believe the Commission should have considered, RCW 81.04.405 provides that you may make

Application for mitigation of this penalty. To do so, complete the enclosed mitigation form and return it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, within FIFTEEN (15) days of your receipt of this penalty notice. You may, although you are not required to, present your request for mitigation at a hearing. The Commission will consider your plea and notify you of its determination.

If you would like a hearing to contest either the occurrence of the violations or the amount of the penalty, please state why you believe a hearing is called for in your circumstances.

Failure to request a hearing to contest the occurrence of the violations or the amount of the penalty, return the mitigation plea, or pay the amount due within 15 days will cause the Commission to refer this matter to the Office of the Attorney General for collection. Suit may then be brought against you and after trial, judgment may be entered against you.

DATED at Olympia, Washington and effective this ~~15th~~ day of December, 2005.



MARK H. SIDRAN, Chairman



PATRICK J. OSHIE, Commissioner



PHILIP B. JONES, Commissioner

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

APPLICATION FOR MITIGATION OF PENALTIES -TV 051758

I have read and understand RCW 9.72.030, which prescribes penalties for making false affidavits (printed below), and hereby make, under oath, application for mitigation of the penalties (as described on the attached form), for the following reasons:

NOTE: This form must be completed, signed and notarized, and received by the Commission within 15 days of your receipt of this form.

I swear that the foregoing is a true and complete statement of the facts in this case.

Signature of Applicant

Sworn to and subscribed before me
this ____ day of _____,
20__

NOTARY PUBLIC in and for the
State of Washington, residing in

RCW 9.72.030:

"Perjury-Second Degree: Every person who, whether orally or in writing, and whether as a volunteer or in a proceeding or investigation authorized by law, shall knowingly swear falsely concerning any matter whatsoever shall be guilty of perjury in the second degree and shall be punished by imprisonment in the state penitentiary for not more than five years or by imprisonment in the county jail for not more than one year."