

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PENALTY ASSESSMENT TV-101002

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

- [ ] 1. Payment of penalty. I admit that the violation occurred and enclose \$ \_\_\_\_\_ in payment of the penalty.
[ ] 2. Request for a hearing. I believe that the alleged violation did not occur, based on the following information, and request a hearing for a decision by an administrative law judge:

EP [X] 3. Application for mitigation. I admit the violation, but I believe that the penalty should be reduced for the reason(s) set out below, and

- [ ] a) I ask for a hearing for a decision by an administrative law judge
EP OR [X] b) I waive a hearing and ask for an administrative decision on the information I present directly above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: 07/10/10 [month/day/year], at LYNNWOOD WA [city, state]

Ed. Ponce Americas Moving Machines Signature of Applicant

RCW 9A.72.020:

Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony."

Washington Utilities and Transportation Commission  
1300 South Evergreen Park Drive SW  
PO Box 47250  
Olympia Wa 98504-7250

RECEIVED  
GENERAL MANAGER  
2010 JUL 16 PM 4:53  
STATE OF WASH  
MIL AND TRAN  
COMM

Dear Sirs:

I am writing to explain why I did not file my 2009 Annual Report forms.

As the owner of my company I want to follow all rules and regulations required by the WUTC. I feel satisfied that my company is fully licensed and bonded and insured. I am proud to have a permit to operate legally in Washington State.

I had a misunderstanding about when I was required to file an Annual Report. I spoke to a gentleman twice from the safety field at the end of March 2010. I don't remember his name. We discussed my safety inspection. At the time I had a temporary permit and I questioned if I needed to file a 2009 report. It wasn't until I attended my first meeting with the WUTC in January of 2010, and again in February, that I learned what type of appropriate paperwork and rules were required (bill of lading and estimate of services).

I am asking for reconsideration of the fines. I have now been educated how to file my Annual Report and how to follow the paperwork. Also at a recent safety inspection of my truck and paperwork I received more useful information.

Thank you for your consideration.

Eduardo Ponce  
Americas Moving Machines  
19925 68<sup>th</sup> ave w  
Lynnwood Wa 98036  
206-218-8641 425-438-2526



Washington Unified Business Identifier (UBI) No.: 602 693 838  
(If you do not know your UBI No. please contact the Department of Licensing at 360-664-1400)

### ANNUAL REPORT CERTIFICATION

I certify that I, Edwards Pence, the responsible account officer for America's Moving Machines have examined the foregoing report; that, to the best of my knowledge, information and belief, all statements of fact contained in said report are true and said report is a correct statement of the business and affairs of the above-named respondent in respect to each and every matter set forth therein during the period from January 1, 2009, to December 31, 2009, inclusive.

Name (Printed) Edwards Pence Title Owner Operator  
Signature [Handwritten Signature] Date 07/15/10

### Online Annual Report Certification

I acknowledge that the foregoing Annual Report has been submitted electronically; that, to the best of my knowledge, information and belief, all statements of fact contained in all attached schedules are true and said report is a correct statement of the business and affairs of the above-named respondent in respect to each and every matter set forth therein during the period from January 1, 2009, to December 31, 2009, inclusive. I agree that my name typed in lieu of my handwritten signature shall be sufficient to deem the report complete.

July 2009  
Authorized By: Ed Pence Owner Operator  
Please Type Full Name Here  
Authorized Date: 7/15/10  
Please Type Full Date Here

**STORAGE FACILITIES**

Do you operate your own storage facilities?  Yes  No

*We dont have storage.*

If yes, list (or attach a list) the address of each warehouse located in Washington State:

**MILEAGE**

*from July 22-2009 - Dec 31 2009*

Total *intrastate* operating miles in 2009:

*993.00*

**INTERSTATE OPERATIONS**

Do you have interstate operating authority?  Yes  No

If yes, what is your MC#: \_\_\_\_\_

Do you operate as the agent of an interstate carrier?  Yes  No

If yes, what is the name of the carrier? \_\_\_\_\_

**HOUSEHOLD GOODS MOVES**

Total number of household goods moves completed during the year:

*from July 22- Dec 31*

*22 moves*

Number of household goods moves completed in Washington (intrastate):

*22 moves*

Total number of written estimates issued during the year:

*4*

Number of written estimates in Washington (intrastate):

*0*

Total number of Loss and/or Damage Claims received during the year:

*0*

Number of Loss and/or Damage Claims for Washington (intrastate):

*0*

**CARGO INSURANCE**

Cargo Insurance Company Name:

*COLONY*

*MMTC 0007*

Cargo Insurance Policy Number:

*CCPG19569*

*12/11/09 12/11/10*

**SMALL BUSINESS** No Yes **Small Business means** any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, owned and operated independently from all other businesses, that has the purpose of making a profit, and has **fifty or fewer employees**.

### SCHEDULE 1

**TYPE OF MOTOR CARRIER**  Individual  Partnership  Corporation,  Other (LP, LLP, LLC, etc.)  
 List the name, title, and percentage of partner's share or stock distribution for major stockholders. If LLC, list members and percentage of ownership.

Name: Ed Ponce Title: President Percent/Shares/Stock/Ownership: 100%  
 Name: \_\_\_\_\_ Title: \_\_\_\_\_ Percent/Shares/Stock/Ownership: \_\_\_\_\_  
 Name: \_\_\_\_\_ Title: \_\_\_\_\_ Percent/Shares/Stock/Ownership: \_\_\_\_\_

Safety Director Name: Ed Ponce Telephone Number: 206-218-8641

Claims Manager Name: Ed Ponce Telephone Number: 206-218-8641

Drivers employed during the year: Ed Ponce

Total Vehicles operated during the year:	Total Vehicles Owned:	Total Vehicles Leased:	Total Vehicles Under 10,000 lbs. (gvw rating):
01	01	_____	50

Number of recordable intrastate and interstate accidents in 2009.

(Please include the total recordable accidents for both intrastate and interstate operations based in Washington.)

Recordable Accidents	Intrastate	Interstate
An occurrence involving a commercial vehicle on a public road in interstate or intrastate commerce that resulted in:		
A. A fatality.	_____	_____
B. An injury to a person requiring immediate treatment away from the scene of the accident.	_____	_____
C. Disabling damage to a vehicle, requiring it to be towed from the accident scene.	_____	_____
Total number of recordable accidents	_____	_____

Total operating miles for the year 2009: July - Dec 2009

Intrastate 99200 Interstate \_\_\_\_\_

Intrastate: Trips that operate exclusively within the state of Washington.

Interstate: Trips that operate outside the state of Washington.

#### TERMINAL FACILITIES

Do you operate terminals at locations other than the primary address of record?  Yes  No  
 If yes, list (or attach a list) the address of each terminal located in Washington State: