

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of	)	DOCKET TV-120721
	)	
IVAN INGRAM d/b/a/ AA EAGLE	)	NOTICE OF INTENT TO DENY
RELOCATION SERVICE	)	APPLICATION FOR PERMANENT
	)	AUTHORITY;
for a permit to operate as a motor	)	
carrier of household goods.	)	NOTICE OF OPPORTUNITY FOR
	)	HEARING
.....	)	

**I. INTRODUCTION**

- 1 **Nature of Proceeding.** The Washington Utilities and Transportation Commission (Commission) hereby provides notice of its intention to deny Ivan Ingram d/b/a AA Eagle Relocation Service’s (Ivan Ingram or Applicant) application for permanent authority for failure to meet the application requirements in RCW 81.80 and WAC 480-15.
- 2 **Procedural Background.** On May 17, 2012, Ivan Ingram filed with the Commission an application requesting authority to operate as a household goods carrier in the state of Washington under RCW 81.80 and WAC 480-15. Mr. Ingram, the company’s owner, signed the application.
- 3 Commission Staff has reviewed the application and materials subsequently submitted, as well as a criminal history report, issued by the Washington State Patrol Identification and Criminal History Section. Staff has recommended that the Commission deny Ivan Ingram’s application, for reasons set out below.

**II. APPLICABLE LAW**

- 4 RCW 81.80.075(3) requires the Commission to consider whether an applicant for a household goods carrier permit is fit to perform the services proposed and conform to the requirements, rules and regulations of the Commission, and whether the operations are consistent with the public interest.

- 5 The Commission will grant or deny an application for permanent authority after it conducts a complete review of the application, including supporting statements, reports or other information necessary to determine fitness, public interest, and current or future public convenience and necessity.<sup>1</sup>
- 6 The Commission's rules provide that the Commission may reject or deny an application for permanent authority if the Commission believes the applicant is unfit, or if issuing the permit is not in the public interest. WAC 480-15-330 sets out specific factors the Commission may consider, which include:
- The application indicates evidence of fraud, misrepresentation or erroneous information.<sup>2</sup>
  - The applicant has been convicted of any crime.<sup>3</sup>
- 7 If it is necessary to resolve outstanding issues or concerns related to fitness or the public interest, or any other issue resulting from a complaint or public comment, the Commission may hold a hearing or brief adjudicative proceeding on any application for permanent authority.<sup>4</sup>

### III. FACTUAL ALLEGATIONS

- 8 Commission Staff makes the following factual allegations based on its review and investigation of the application.
- 9 The Commission's household goods carrier permit application asks if the applicant has ever been convicted of a crime, and if so, to explain. Mr. Ingram's application as originally filed reflects an affirmative answer but lacks any elaboration. Commission staff's research shows that Mr. Ingram has a criminal history spanning 12 years and consisting of 30 convictions for crimes including theft, residential burglary, possession of stolen property, identity theft, forgery, and driving violations. A history

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<sup>1</sup> WAC 480-15-330(2). The Commission updated its household goods carrier rules effective July 8, 2012, removing specific sections of WAC 480-15, including 480-15-330. However, because AA Eagle submitted its application in May 2012, WAC 480-15-330 still applied.

<sup>2</sup> WAC 480-15-330(4)(b).

<sup>3</sup> WAC 480-15-330(4)(e)(ii).

<sup>4</sup> WAC 480-15-350.

of crimes such as these is troubling in a moving company applicant because a moving company may take possession of and transport the entirety of a customer's worldly goods.

- 10 When Mr. Ingram later elaborated on his answer, he disclosed only his eight most recent convictions, which include one count of first degree theft, two counts of second degree possession of stolen property, two counts of second degree theft, and three counts of second degree identify theft. Mr. Ingram failed to disclose his 22 additional criminal convictions, which is a factual misrepresentation.
- 11 These allegations, if not satisfactorily rebutted, support findings that Mr. Ingram's criminal history renders him unfit to operate as a household goods carrier and that the application contains a significant misrepresentation with respect to Mr. Ingram's criminal history. Such findings, in turn, support the conclusion that issuing the permit is not in the public interest and that the application should be denied.
- 12 **NOTICE OF OPPORTUNITY FOR HEARING.** Ivan Ingram may request a hearing to contest the factual allegations set out in this notice. Mr. Ingram may request such a hearing by filing a written request for a hearing with the Commission by **October 10, 2012**. An original and five (5) paper copies of the request must be directed to the attention of David W. Danner, Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, and must reference Docket TV-120721.
- 13 If Ivan Ingram requests a hearing by **October 10, 2012**, the Commission will schedule a brief adjudicative proceeding under RCW 34.05.482 and WAC 480-07-610. If Ivan Ingram does not request a hearing by that date, the Commission will enter an order rejecting the application for permanent authority.

DATED at Olympia, Washington, and effective September 26, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER  
Executive Director and Secretary