

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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

PENALTY ASSESSMENT NO: TV-051913
PENALTY AMOUNT: \$ 3,100.00

HOUSEHOLD GOODS CARRIER:

Cavlogix Corporation, d/b/a TempStore Moving Company
PO Box 81064
Seattle, WA 98108

The Washington Utilities and Transportation Commission believes that you have committed 31 violations of commission rules and household goods tariff, specifically, Washington Administrative Code (WAC) 480-15, and commission Tariff 15-A. As a result, the commission hereby notifies you that it has assessed a \$100.00 penalty against you for each of the 31 violations for total penalties of \$3,100.00.

The basis for this penalty assessment is as follows. Further information about the violations alleged is contained in the attached report prepared by the staff of the commission.¹

1. One violation of Tariff 15-A, Item 85(7)(e)(x), for TempStore's failure to revise the non-binding estimate form to include the required section for remarks from January 31 through September 30, 2005, subject to a \$100.00 penalty.
2. Two violations of WAC 480-15-650(2)(d), for TempStore's failure to list the complete physical address of the origin and the destination of the move on a written estimate between May 1 and August 20, 2005, subject to a \$200.00 penalty.
3. One violation of WAC 480-15-650(2)(e), for TempStore's failure to include the total mileage on a written estimate between May 1 and August 20, 2005, subject to a \$100.00 penalty.
4. One violation of WAC 480-15-650(2)(i), for TempStore's failure to list the estimated cubic footage of each article on an inventory between May 1 and August 20, 2005, subject to a \$100.00 penalty.

¹ In formal proceedings before the commission, the commission's regulatory staff appears as an independent party with the same privileges, rights, and responsibilities as any other party in the proceeding. Commission staff operates independently from the three-member Commission, who decides the merits of each case. RCW 34.05.455; WAC 480-07-340.

5. One violation of WAC 480-15-650(3), for TempStore's failure to obtain the customer's signature on a written estimate between May 1 and August 20, 2005, subject to a \$100.00 penalty.
6. One violation of WAC 480-15-730 and Tariff Item 95(1)(b), for TempStore's driver's failure to sign the bill of lading indicating receipt of the customer's goods between May 1 and August 20, 2005, subject to a \$100.00 penalty.
7. Three violations of WAC 480-15-490(5) and Tariff 15-A, Item 95(2)(c), for TempStore's failure to list the consignee's name on three bills of lading between May 1 and August 20, 2005, subject to a \$300.00 penalty.
8. Four violations of WAC 480-15-490(5) and Tariff 15-A, Item 100, for TempStore's failure to include four required items on an SIT inventory between May 1 and August 20, 2005, subject to a \$400.00 penalty.
9. Three violations of WAC 480-15-740(3) and Tariff 15-A, Item 95(2)(d), for TempStore's failure to list the exact address at which the shipment, or any part of that shipment, was loaded or unloaded on three bills of lading between May 1 and August 20, 2005, subject to a \$300.00 penalty.
10. Eight violations of WAC 480-15-490(5) and Tariff 15-A, Item 95(2)(g), for TempStore's failure to ensure that the customer has properly initialed the type of estimate (binding or non-binding) under which the shipment is moving on eight bills of lading between May 1 and August 20, 2005, subject to an \$800.00 penalty.
11. One violation of WAC 480-15-490(5) and Tariff 15-A, Item 100(1)(B), for TempStore's failure to charge correct tariff rates for SIT on one bill of lading between May 1 and August 20, 2005, subject to a \$100 penalty.
12. Three violations of WAC 480-15-490(5) and Tariff 15-A, Item 225, for TempStore's failure to only charge fees for new or used containers as listed in the tariff on one bill of lading between May 1 and August 20, 2005, subject to a \$300.00 penalty.
13. One violation of WAC 480-15-490(5) and Tariff Item 230(4), for TempStore charging a customer for a lunch break on one bill of lading between May 1 and August 20, 2005, subject to a \$100.00 penalty.
14. One violation of WAC 480-15-740, for TempStore's failure to list specific information necessary to bill the customer the correct rates and charges on a bill of lading between May 1 and August 20, 2005, subject to a \$100.00 penalty.


The penalties contained in this notice of penalties incurred are assessed pursuant to RCW 81.04.405. Under RCW 81.04.405, every public service company subject to Title 81 RCW who violates or who procures, aids or abets in the violation of any provision of Title 81 RCW or any order, rule, regulation or decision of the Commission is subject to a penalty of \$100.00 per


violation. Each and every violation shall be a separate and distinct offense. Each day of a continuing violation is a separate and distinct offense. Every act of commission or omission which procures, aids or abets in the violation is considered to be a violation.

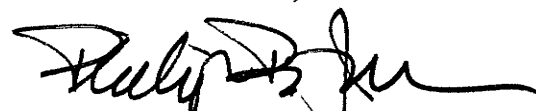
Penalties are due and payable upon receipt of this penalty notice. If for any reason you believe the violations described above did not occur, you may request a hearing to contest the occurrence of the violations. If you have an explanation as to why the violations occurred, or have other facts you believe the Commission should consider, 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 request 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 *3rd* day of January, 2006.


MARK H. SIDRAN, Chairman


PATRICK J. OSHIE, Commissioner


PHILIP B. JONES, Commissioner

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

APPLICATION FOR MITIGATION OF PENALTIES

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

I have read and understand RCW 9A.72.020, which states that making false statements under oath is a class B felony (printed below). 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, application for mitigation of the penalties (as described in the attached Notice of Penalties), for the following reasons:

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: _____ [month/day/year], at _____ [city, state]

Signature of Applicant

RCW 9A.72.020:

“Perjury in the first degree. (1) A person is guilty of perjury in the first degree 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.”