

Fatma Haji

12790 Merit Drive, Suite 400, Dallas TX 75251 • 972-694-0400 ext. 2133. E-mail : [Fatma.haji@graebelmoving.com](mailto:Fatma.haji@graebelmoving.com)

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July 8, 2016

VIA US MAIL AND ONLINE

Washington Utilities and Transportation Commission ("WUTC")  
Gregory J. Kopta, Administrative Law Judge  
PO Box 47250  
Olympia, WA 98504-7250

RE: Graebel/Quality Movers, LLC ("Graebel") Penalty Assessment Notice TV-160621  
Docket Number160621

Dear Judge Kopta:

I am responding to your Penalty Assessment Notice Letter ("Letter") sent and received by David Allen, CFO via email on June 28, 2016 requesting response within 15 days after receipt. The letter was in regards to the filing of Graebel's 2015 HGC Annual Report ("Report") and noted penalties in the amount of \$1,000, and the process to contest the penalty. In light of Letter request and following the facts/circumstances, Graebel is requesting that the WUTC excuse or reduce the penalty.

Graebel did not receive the report mailed on February 29, 2016 due to an address/location change. Graebel has provided notice to the WUTC of the mailing address change to 12790 Merit Drive, #400, Dallas, Texas 75251 on the 2015 HHG report.

Graebel did obtain a report from the WUTC's website around the renewal date and our accounting department gathered the information following a previous year's format and filed. As stated in the Letter (which still reflects Graebel's old 15455 Dallas Parkway address), Graebel's fee and Report was received by the WUTC on May 3<sup>rd</sup>, within one day of the May 2<sup>nd</sup> due date.

Unfortunately, the email that was sent on May 10<sup>th</sup> to my e-mail address from the WUTC went grouped as junk mail by Microsoft Outlook and being new with the company I did not realize that it was sent there until our CFO David Allen received an e-mail. However upon receipt of the letter I was able to track the email and am now promptly responding.

I have sent the corrected Schedule A to Mr. Bennett reflecting the intrastate mileage as 56120. Graebel has also received an invoice for a penalty in the amount of \$44.44 which was paid online on 07/07/2016 and the confirmation was sent to Sean Bennett today on 07/08/2016.

In conclusion, Graebel is requesting that WUTC considers the facts that May 10<sup>th</sup> email was not received, the address changes delayed the receipt of the letter and the company has promptly made a good faith effort to provide the information requested upon receipt of the June 28 Letter and waive the excessive \$1000 Penalty.

Thanks in advance for your consideration,



Fatma Haji – Tax Accountant – Dallas GL Team



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CORPORATE RESIDENTIAL INTERNATIONAL WORKSPACE

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# WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

## NOTICE OF PENALTIES INCURRED AND DUE FOR VIOLATIONS OF LAWS AND RULES

PENALTY ASSESSMENT: TV-160621

PENALTY AMOUNT: \$1000

Graebel-Quality Movers LLC  
15455 Dallas Parkway, Suite 600  
Addison, TX 75001

According to Washington Utilities and Transportation Commission (Commission) records, you have violated Washington Administrative Code (WAC) 480-15-480, which requires household goods carriers companies to file their annual report and pay regulatory fees each year by May 1. May 1 was a Sunday, therefore you were required to file your annual report or pay regulatory fees by May 2, 2016. You did not file an annual report by May 2, 2016.

Revised Code of Washington (RCW) 81.04.405 authorizes the Commission to assess a penalty of \$100 for each violation of a Commission rule. In the case of a continuing violation, every day's continuance is a separate and distinct violation. The Commission interprets noncompliance with WAC 480-15-480 beyond May 2 as a continuing violation, and assesses penalties of \$100 for each day a company fails to file its report or pay its regulatory fees after that date.

As a result, the Commission has assessed penalties against you in the amount of \$1000 on the following basis:

On February 29, 2016, the Commission mailed the 2015 annual report forms and the 2016 regulatory fee packets to all household goods carriers companies registered in Washington. The instructions page for the annual report form instructed these companies to file annual reports and pay regulatory fees by May 2, 2016. The instructions page also stated that failure to file the annual report by May 2 would result in penalties. The deadline for requesting an extension to file your annual report was April 15. You did not request an extension.

On Tuesday, May 3, 2016, Graebel-Quality Movers LLC filed an incomplete 2015 annual report and paid its 2016 regulatory fee. The Commission reached out to the company via email on May 10 and advised Graebel/Quality Movers, LLC that "N/A" for the Interstate and Intrastate miles is insufficient and that these figures are required. As of May 16, the report remained incomplete. May 16 is ten business days from May 2, resulting in a total penalty of \$1,000. The Commission has yet to receive a complete and accurate annual report and additional penalties may accrue until you submit one.

Your penalty is due and payable now. If you believe the violation did not occur, you may request a hearing to contest the penalty assessment. The Commission will grant that request only if material issues of law or fact require consideration of evidence and resolution in a hearing. A request for a hearing must include a written statement of the reasons supporting that request. Failure to provide such a statement will result in denial of the request.

If there is a reason for the violation that you think should excuse or reduce the penalty, you may ask for mitigation (reduction) of this penalty through evidence presented at a hearing or in writing. The Commission will grant a request for a hearing only if material issues of law or fact require consideration of evidence and resolution in a hearing. Any request for mitigation must include a written statement of the reasons supporting that request. Failure to provide such a statement will result in denial of the request. See RCW 81.04.405.

If you properly present your request for a hearing and the Commission grants that request, the Commission will review the evidence supporting your dispute of the violation or application for mitigation in a Brief Adjudicative Proceeding, before an administrative law judge. The administrative law judge will consider the evidence and will notify you of his or her decision.

**You must act within 15 days after receiving this notice** to do one of the following:

- Pay the amount due.
- Request a hearing to contest the occurrence of the violations.
- Request mitigation to contest the amount of the penalty.

Please indicate your selection on the enclosed form and send it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, **within FIFTEEN (15) days** after you receive this notice.

**If you do not act within 15 days**, the Commission may refer this matter to the Office of the Attorney General for collection, which may file suit in state court to collect the penalty. The Commission may also initiate proceedings under WAC 480-15-450 to cancel your permit to operate as a household goods carrier in Washington.

DATED at Olympia, Washington, and effective June 23, 2016.

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GREGORY J. KOPTA  
Administrative Law Judge

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TV-160621

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 violations occurred. I have:

[ ] Enclosed \$ \_\_\_\_\_ in payment of the penalty

[ ] Submitted my payment of \$ \_\_\_\_\_ online at www.utc.wa.gov. My confirmation number is \_\_\_\_\_.

[ ] 2. Request for a hearing. I believe that one or more of the alleged violations did not occur, for the reasons I describe below, and I request a hearing based on those reasons for a decision by an administrative law judge:

[x] 3. Application for mitigation. I admit the violations, but I believe that the penalty should be reduced for the reasons set out below:

[ ] a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision

OR

[x] b) I ask for a Commission decision based solely on the information I provide 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: 07/03/2016 [month/day/year], at DALLAS, TX [city, state]

GRAEBEL / QUALITY MOVERS, LLC  
Name of Respondent (company) – please print

[Signature]  
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.”

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**HOUSEHOLD GOODS CARRIERS  
2015  
ANNUAL REPORT**

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FOR

GRAEBEL VANLINES LLC, DBA GRAEBEL QUALITY  
(NAME UNDER WHICH CORPORATION, PARTNERSHIP, OR INDIVIDUAL IS DOING BUSINESS) MOVERS

12790 MERIT DR, BLDG 9, STE 400  
(OFFICIAL MAILING ADDRESS)

DALLAS (CITY)                      TX (STATE)                      75251 (ZIP)

Please check if address listed above is an updated address

**Report Year Ended: December 31, 2015**

Inquiries concerning this Annual Report should be addressed to:

Name/Title: FATMA HAJI / ACCOUNTANT  
Address: 12790 MERIT DR, BLDG 9, STE 400  
City: DALLAS  
State/Zip: TX 75251  
Telephone: 972 694 0400 Ext. 2133  
Email: Fatma.Haji@graebelmoving.com

SUBMIT TO:  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
PO Box 47250  
Olympia, WA 98504-7250

File online: [www.utc.wa.gov](http://www.utc.wa.gov)



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**REPORT MUST BE RECEIVED NO LATER THAN MAY 2, 2016**

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\*\*\*Please refer to the Instructions for Completing the Annual Report on Page 2\*\*\*

## SCHEDULE 1

(complete all information for the year 2015)

### Staff Contact Information

Safety Director Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Claims Manager Name: \_\_\_\_\_ Phone: \_\_\_\_\_

### Vehicle and Mileage Information

Driver and Vehicle Information	Mileage Information				
Drivers employed	Total Operating Miles <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Intrastate</td> <td style="width: 50%; text-align: right;">56120</td> </tr> <tr> <td>Interstate</td> <td style="text-align: right;">N/A</td> </tr> </table> Intrastate: Trips that operate exclusive within WA Interstate: Trips that operate outside of WA	Intrastate	56120	Interstate	N/A
Intrastate		56120			
Interstate		N/A			
Total vehicles operated					
Total vehicles owned					
Total vehicles leased					
Total vehicles under 10,000 lbs. (gvw rating)					

### Recordable Intrastate and Interstate Accidents

Recordable Accidents	Intrastate	Interstate
A fatality		
An injury to a person requiring immediate treatment away from the scene of the accident		
Disabling damage to a vehicle, requiring it to be towed from the accident scene		
<b>Total number of recordable accidents</b>		

### General Operations

Terminal Facilities	Storage Facilities
Do you operate terminals at locations other than the primary address of record? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list (or attach list) the address of each terminal located in Washington State:	Do you operate your own storage facilities? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list (or attach list) the address of each warehouse located in Washington State:

  

Interstate Operations	Agent Operations
Do you have interstate operating authority? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, list your MC#:	Do you operate as the agent of an interstate carrier? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, what is the name of the carrier:
MC#:	Carrier Name

**Haji, Fatma**

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**From:** WA UTC Payments <DoNotReply@utc.wa.gov>  
**Sent:** Thursday, July 07, 2016 3:22 PM  
**To:** Haji, Fatma  
**Subject:** UTC Payment Confirmation



**Thank You for Submitting Your Online Credit Card Payment**

Your payment of \$44.44 has been received on 7-7-2016 1:21 PM.

Payment ID: 2968

Company: Graebel/Quality Movers LLC

Invoice Number: 3374

Credit Card Confirmation Number: A55344

**Payment Summary**

Payment Amount to UTC: \$44.44

Convenience Fee to Official Payments: \$3.95

Total Charged to Credit Card: \$48.39

Any questions can be directed to Accounts Receivable, 360-664-1349.

## Haji, Fatma

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**From:** Haji, Fatma  
**Sent:** Friday, July 08, 2016 10:32 AM  
**To:** 'Bennett, Sean (UTC)'  
**Cc:** Turton, Robin; Wells, Lyle  
**Subject:** RE: Graebel/Quality Movers LLC  
**Attachments:** CORRECTED SCHEDULE A - HHG 2015 ANNUAL REPORT FOR GRAEBEL.pdf; RECEIPT AND PAYMENT CONFIRMATION FOR INVOICE #3374 - 1.pdf

Good Morning Mr. Bennett,

First I want to apologize for not responding to this e-mail promptly as you instructed. Unfortunately the e-mail was grouped as junk mail by outlook and being new with the company I did not realize that was happening to some e-mails until our CFO received an e-mail with a letter from the judge.

I have gathered the information and attached the updated schedule on this e-mail. I have also attached a copy of proof of payment for invoice #3374. Due to these circumstances/facts, Graebel is requesting that the WUTC excuse or reduce the penalty with the promise to be more diligent and file all the returns on time and in compliance. Please contact me if you have any additional questions.

Thank you so much for your assistance,

**Fatma Haji – Tax Accountant – Dallas GL Team**  
12790 Merit Dr., Bldg. 9, Ste. 400, Dallas, TX 75251  
Office Phone #: (972) 694-0400 Ext. 2133  
E-mail Address: [Fatma.haji@graebelmoving.com](mailto:Fatma.haji@graebelmoving.com)  
<http://www.graebelmoving.com>



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**From:** Bennett, Sean (UTC) [<mailto:sbennett@utc.wa.gov>]  
**Sent:** Tuesday, May 10, 2016 11:47 AM  
**To:** Haji, Fatma  
**Cc:** Bennett, Sean (UTC)  
**Subject:** Graebel/Quality Movers LLC

Dear Regulated Company,



On February 29, 2016 the Utilities and Transportation Commission (commission) mailed you an Annual Report. The complete and correct report was due by May 2, 2016.

A review of your annual report received on May 6, 2016 indicates it is incomplete.

- **Page 4 – Both Interstate and Intrastate operating miles are marked N/A. This is incorrect. Operating miles (Intra and Inter) information is required. Please advise me of this information ASAP so I can mark the annual report as complete.**

The completed cover sheet and confirmation of the correct revenue was due by May 2, 2016. The corrected information may be submitted via the following:

- Email: please reply with the above requested information or e-mail scanned, corrected Schedule(s) to all e-mail addresses above
- Mail: Utilities and Transportation Commission, PO Box 47250, Olympia, WA 98504
- Filed online: [Electronic Filing](#)

Commission staff may recommend enforcement action, which includes penalties of up to \$100 per day, against any company that does not file a correct and completed annual report. It is in the company's best interest to complete this information as soon as possible.

If you have any questions about your annual report please call me at (360) 664-1157 or e-mail at [sbennett@utc.wa.gov](mailto:sbennett@utc.wa.gov).

Thank you,

**Sean Bennett**

Regulatory Analyst  
Utilities & Transportation Commission  
PO Box 47250  
Olympia, WA 98504  
360-664-1157  
[sbennett@utc.wa.gov](mailto:sbennett@utc.wa.gov)