Service Date: January 5, 2017

# BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the Proper Carrier Classification of, and Complaint for Penalties against:

CHERYL BALL d/b/a ACME MOVING LABOR

**DOCKET TV-161206** 

DECLARATION OF RACHEL JONES

Rachel Jones, under penalty of perjury under the laws of the State of Washington, declares as follows:

- 1. I am employed by the Washington Utilities and Transportation Commission (Commission) as a Compliance Investigator in the Consumer Protection Section. As a Compliance Investigator, my responsibilities include conducting investigations regarding the business practices of regulated utility and transportation companies. As part of those duties, I investigate household goods carriers that may be operating without the required Commission permit.
- 2. On September 9, 2016, I received a tip on the illegal moving hotline, that Acme Moving Labor was performing household goods moves without having a permit with the Commission. I was told the company has a business website at <a href="https://www.acmemovinglabor.com">www.acmemovinglabor.com</a> and that this company is charging rates outside of the tariff. I began an investigation into the activities of Acme Moving Labor on September 12, 2016.
- 3. After researching on the internet I found several websites connected to the name Acme Moving Labor. These websites included <a href="www.yelp.com">www.yelp.com</a>, <a href="www.yelp.com">www.yelp.com</a>, the advertisement for Acme Moving Labor included the business website <a href="www.acmemovinglabor.com">www.acmemovinglabor.com</a>, contact telephone number of (206) 629-7147, address: 345 Pacific Ave. N. MM1, Pacific, WA 98407. In several reviews, Kedric Jackson is named as a manager and crew worker. I completed a search on Washington State Department of Licensing and Washington Secretary of State's websites, which produced no records. I performed a search on Washington State Department of Revenue, which produced results for Acme Moving Labor. The entity name is Cheryl Ball, mailing address: 839 1st Ave. N.,

<sup>&</sup>lt;sup>1</sup> See Attachment A for copy of the <u>www.yelp.com</u> and <u>www.acmenmovinglabor.com</u> advertisements, which I printed on September 12, 2016.

Kent, WA 98032-3070, and business address: 345 Pacific Ave. N. JJ-2, Kent, WA 98047-1293.<sup>2</sup>

- 4. A search on the U.S. Department of Transportation Safety and Fitness Electronic Records (SAFER) website produced results, Cheryl Ball is listed as the owner of Acme Moving Labor. The physical and mailing addresses are documented as 839 1<sup>st</sup> Ave. North, Kent, WA 98032. The website <a href="www.acmemovinglabor.com">www.acmemovinglabor.com</a> has a contact telephone number of (206) 629-7147.<sup>3</sup>
- 5. I reviewed Commission records on September 12, 2016, related to Acme Moving Labor to determine whether the company held a household goods permit. As of that date, Commission records showed neither Cheryl Ball nor Acme Moving Labor have ever applied for, or received, a household goods permit.<sup>4</sup>
- 6. On September 12, 2016, at 1:17 p.m., I called (206) 629-7174 under an assumed name and requested an estimate on a household goods move. A male answered the phone and I told him, I'm moving from a two-bedroom apartment in Kent, WA to another apartment complex in Kent, WA on September 29, 2016. The male responded back that it will be \$140 per hour for two movers and a truck, with a minimum of three hours and \$125 surcharge fee for fuel. I was told the moving time will start when the workers arrive at my place and end when they finish unloading.
- 7. On September 19, 2016, a compliance letter was sent to Cheryl Ball to cease and desist all operations with household goods moves until a permit is obtained from the Commission.<sup>5</sup>
- 8. On September 29, 2016, the Commission received an application for a household goods permit from Cheryl Ball, for Acme Moving Labor.<sup>6</sup>
- 9. On October 4, 2016, Mr. Jackson submitted a letter on behalf of Acme Moving Labor to Commission staff requesting more time to cease advertisement as a household goods carrier. On October 4, 2016, Acme Moving Labor was granted until October 13, 2016, to make the necessary changes to the company's on-line advertisements.<sup>7</sup>

<sup>&</sup>lt;sup>2</sup> See Attachment B for a copy of Department of Licensing, WA Secretary of State records, and Department of Revenue, which I printed on September 12, 2016.

<sup>&</sup>lt;sup>3</sup> See Attachment C for a copy of SAFER Record, which I printed on September 12, 2016.

<sup>&</sup>lt;sup>4</sup> See Attachment D for a copy of Commission Records documenting no record of a permit for Acme Moving Labor.

<sup>&</sup>lt;sup>5</sup> See Attachment E for a copy of the Compliance Letter, dated September 19, 2016.

<sup>&</sup>lt;sup>6</sup> See Attachment F for copy of the Household Goods Permit Application, filed on September 29, 2016.

<sup>&</sup>lt;sup>7</sup> See Attachment G for a copy of the letter dated on October 1, 2016, and Commission staff's response, dated October 4, 2016.

- 10. On October 19, 2016, the Commission issued a Notice of Intent to Deny and Notice of Opportunity for Hearing, due to the criminal history of the company's operation manager Mr. Jackson. A docket number was assigned, TV-161097. On October 31, 2016, Acme Moving Labor requested a hearing. A hearing was scheduled for December 6, 2016.<sup>8</sup>
- 11. On November 14, 2016, I did an internet search of <a href="www.yelp.com">www.yelp.com</a>, where I found photographs related to a residential move posted by the business owner, Acme Moving Labor on October 30, 2016.<sup>9</sup>
- 12. On December 1, 2016, I conducted an internet search on <a href="www.yelp.com">www.yelp.com</a>, and found an Acme Moving Labor advertisement that stated, "Free truck rental, packing, loading, PODs, Seattle." <sup>10</sup>
- 13. On December 1, 2016, under an assumed name I requested a quote for a residential move from Acme Moving Labor's yelp website. I stated I wanted a quote for a move in Auburn, from a two-bedroom apartment to a five-bedroom house in Auburn. I stated, "I need full service, packing, unpacking, and stuff to be picked up from storage and delivered to my new address." I received an email response back from Kedric Jackson, Acme Moving Labor, stating that they are not available. When I asked if he could provide me with recommendations, he responded by asking me what date I wanted to move.
- 14. On December 2, 2016, I responded to Mr. Jackson by email telling him that I was looking to move on December 16, 2016. Mr. Jackson responded and stated he had rearranged his schedule and was able to help me move on the 16th. Mr. Jackson requested that I call him at (253) 653-8635. I called the number and a male answered and identified himself as Kedric Jackson. Mr. Jackson wanted to know how far my old address and new address was from each other. I told him it was about 15 to 20 minutes. I told Mr. Jackson I needed full service, which included packing, unpacking, a truck, and help moving my belongings from storage to my new address. I told Mr. Jackson that I received a quote of \$6,000 from another company. Mr. Jackson said he can move me for cheaper, including packing, unpacking, a truck, and delivering my stuff from storage. He requested to come by my place and see what goods I have to give me an accurate estimate.

<sup>&</sup>lt;sup>8</sup> See Attachment H for a copy of Notice of Intent to Deny Application, dated October 19, 2016

<sup>&</sup>lt;sup>9</sup> See Attachment I for a copy of <u>www.yelp.com</u> advertisement and photographs of a residential move, which I printed on November 14, 2016.

<sup>&</sup>lt;sup>10</sup> See Attachment J for a copy of the <u>www.yelp.com</u> advertisement and messages, which I printed on December 1, 2016.

- 15. On December 2, 2016, Mr. Ross Day, who is the attorney representing Cheryl Ball the owner of Acme Moving Labor, requested to withdraw Acme Moving Labor's application and hearing.<sup>11</sup>
- 16. On December 15, 2016, I reviewed Department of Revenue records (DOR), Washington Secretary of State records, Department of Licensing, and SAFER records, to see if Cheryl Ball was still active in their databases. Records showed Cheryl Ball as active in DOR records and SAFER records. There are no records of Cheryl Ball or Acme Moving Labor in the Department of Licensing database; however, the records in Washington Secretary of State show Mr. Ross Day as the agent of Acme Moving Labor, LLC, filed on October 7, 2016. 12

| DATED | this | 19 <sup>th</sup> | day o | f De | ecember | , 2016. | , at | Oly | mpia, | Wa | shing | gton |
|-------|------|------------------|-------|------|---------|---------|------|-----|-------|----|-------|------|
|       |      |                  |       |      |         |         |      |     |       |    |       |      |

RACHEL JONES

<sup>&</sup>lt;sup>11</sup> See Attachment K for a copy of Notice of Withdrawal of Application, dated December 2, 2016.

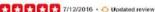
<sup>&</sup>lt;sup>12</sup> See Attachment L for a copy of Department of Revenue, WA Secretary of State, Department of Licensing, and SAFER records, which I printed on December 15, 2016.

## **ATTACHMENT A**

ACME Moving Labor - 87 Photos & 18 Reviews - Movers - 345 Pacific Ave N, Pacific, ... Page 1 of 7







Absolutely great! Mr. Kedric Jackson is the business owner, and for my job he brought a crew of 3 including himself. They arrived right on time and worked tirelessly and meticulously on all of the project. Il had moved into a small condo but brought most of what was in a 1200 SF house. The job was loading everything from the condo (which looked like an episode of "Hoarders"!) back into a POD - the larger one. I had a lot of books, some furniture and some delicate artwork and paintings. Can't say enough about how caring and focused each person was, with Kedric in particular being very much on top of every detail. It was impressive and a pleasure to have them rescue me. I have back trouble and a recently fractured wrist. They brought boxes, packing blankets and materials. Look no further -- Acme Moving & Labor, and Kedric are the real deal.





Im

CODD 371 reviews On 3/7 Shawn, Patrick, and Tom helped with my 4th move with CSM.

Learn more about ACME Moving Labor

Two Men and a Moving Van

Thank you Paul, you made this

COMMON 70 review

Cross Country Movers

□□□□□ 11 reviews All my belongings were moved

without a single glitch.

Can't Stop Moving

move so easy.

People also viewed

## Browse nearby

11 Restaurants

Y Nightlife Shopping

\*\*\* Show all

People viewed this after searching for...

Movers Pacific



Susan H. Tacoma, WA ♦ 0 friends 2 reviews



🖈 🖈 🖈 🖈 4/6/2016 • Previous review

come and give me a quote in person. I... Read more

From the moment I called for a quote until our completed move I had total confidence in this company and especially Kedric. He was professional, courteous, prompt and treated our belongings as if they were his own. He and his partner Benson were very organized, skillful, and FAST. I have no hesitation in recommending them for your job, big

Kedric was gracious and very responsive including offering to



AC H. Seattle, WA 2 friends



I will not give rude people my business. I called to inquire about loading/unloading service. The first time I called and explained what I was looking for, the call dropped. I immediately called back, got the same deep voice gentleman, and I asked "can you hear me?" Which is a logical question considering the call dropped the 1st time. His response to me "well I guess I can!" Not a great response for someone trying to give you business. Yep, I'll pass.



https://www.yelp.com/biz/acme-moving-labor-pacific

Comment from Kedric J. of ACME Moving Labor Business Manager

6/30/2016 · Hi AC H:

I sincerely apologize for you mistaking me as a rude person. Your initial phone call I... Read more

Yu Shan S. Redmond, WA





Kedric and his crew know what customer service is all about. They are professional and top notch to take care of any moves. If you are moving high end furnitures, these are the guys! They are hard workers, trustworthy and they are moving my mother next week! Very satisfying experience.







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See all photos from Yu Shan S. for ACME Moving Labor



Brenda M.
Sherwood, OR
†† 0 friends



Only one word for ACME Moving is Awasome! We were waiting for our long distance escrow to close, called Jackson late in the day and he was able to squeeze us in the next day!

They were prompt, professional, did exactly what he promised with no problems. Couldn't be more satisfied. Great people to work with.

Great people to work with.

Would use or recommend ACME anytime!



Kent, WA †† 0 friends 3 reviews



I used ACME at the end of May for my move. Kedric was very fast to respond to my request, give a reasonable quote, and book a time. They showed up in a large moving truck, which was nice because they were able to fit my entire home in there. The crew was very friendly & funny. The move went very smooth, Kedric & his team are precise and fast, I would definitely use them again.





★ ★ ★ ★ 4/4/2016

I used Kedric and his crew a month ago. They did a tremendous job, took fantastic care of my furniture,



wrapped everything and assembled what was necessary Pricing was excellent for the work and time they used to move. No complaints. Everything on time. Clean, professional, friendly - and yes, I would use them again.





Kedric had a client that ended up putling us a day out. A great discount, Starbucks gift card, and a day later, they were up bright and early and packed and unpacked within three hours. I would definitely recommend, and if I ever have to move again, I'd call Kedric and crew.







We were stuck last minute and Acme was able to help us out. All I can say are good things. They were fast and like I reed in another in another review he only charged is for the time worked, only three hours! I bought the large moving boxes and packed them heavy and it was no problem they just grabbed their dollies and had the stuff down the stairs in no time. Both him and I believe it was his son were very polite even making sure to do the little things. Of course we wanted to give them a tip for doing such a great job and all they really wanted was for a review and that's the least I could do. If you read this thanks again. I would highly recommend this company to someone looking to move and not spend a ton of money to do it.



les



Jim B.

Bend, OR

🙌 0 friends

1 review



Kedric and his crew were available at a moment's notice. They were efficient and thoughtful and obviously took pride in their work. I definitely look forward to hiring ACME again in the future.

Thanks Kedric!



I am so glad we hired Acme Moving Labor to move us out of our house and load the U-Haulf Kedric and Antonio were on time, professional, respectful of our home and our belongings. They look great care to make sure that the house was emptied and the truck was toaded in a logical manner. They paid special attention to making sure that the load was secure and well protected for the trip. When we got to our destination and unloaded, it was easy to see that the load had not shifted at all.

The icing on the cake was the compliment made by the crew who unloaded the U-Haul:

"Whoever put this truck together really knew what they were doing. This is one of the best loads we've ever seen!"

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#### 5/9/2016

I wish there were more stars to give on this one! I started out looking on Yelp for the reviews for local movers, I sent out for a few estimates and Kedric from Acme Moving was one of the first to respond. I was hoping he and his company weren't too good to be true by the Yelp reviews I've already read, but I emailed with him a bit and got my quote, which was better than most as his company does not charge you from the time they leave their place til the time they get back to their place, so with that part done we just waited for moving day to come still praying he's THIS good! Well the day before we were booked to move, we found out we couldn't move yet! I was freaking out and pretty unhappy with some people to say the least. So I called Kedric with this horrible news and asked if he would be willing and able to do a last minute move and he said something like "absolutely! That's what we specialize in!" sometiming line absolutely: I make what we specialize in:
Oh I was so relieved! He told me just keep him updated
and let him know ASAP when the move would take place.
So I did just that and I believe we had 3-4 days notice. This
was an extremely stressful time for me. I've moved many
many times and have come to actually dislike it more than going to the dentist! So I was so relieved and a huge weight was lifted when Kedric said it'll be alright! We had to move in the afternoon which was fine with us and he and his assistant showed up right when they said they would. They quickly moved everything out of our 2nd story apartment in downtown Kent, loaded up the truck (thankfully the sprinkles didn't progress into rain and stopped!) they got us into the new place (thankfully no stairs here). They were professional, friendly, extremely helpful and actually care. Kedric said this is what I can do and he did exactly that! It was within the time he quoted me and not one thing was broken or anything. I highly recommend Acme Moving! If you're planning a move, give Kedric a call or email! I promise you won't be sorry! You'll be able to relax a bit knowing it will get done correctly, efficiently and safely without charging tons of \$\$\$\$I THANK YOU SOOOO MUCH!





I have had many moving experiences in my life and this was by far the best. We were referred to Kendric by Dan and Units. We were in a pinch timing wise and they took care of everything. So nice, careful with our stuff, and so fast. You can tell they have done his many times, they quickly sized up the pieces, put a plan in place, and negotiated the floor plan and trip to the Unit which we didn't do a very good job of planning for.

They made it so easy on us and I wont go anywhere else next time I need to move

Thank you Acme!!!!





My mother n law just moved to Seattle and hired Acme moving company. They were absolutely the best moving crew I have ever seen. They are professional and courteous. They worked hard to get everything moved in

and were extremely careful when handling everything from boxes to dressers. The next time I move I will definitely be using these guys and would recommend them to anyone.





What a great find! We had a last minute unplanned move what a great timb we had a last minute unpanned move and lucklijk they were able to get us 2 guys for 2 hours to move our heavy items. They ended up moving way more than what we expected in those 2 hours all in the rain! Very friendly and quick! Would totally use them again.









Found this company on Yelp and all the positive comments are correct! The guys were punctual and extremely helpful. They are pros who know their job and work efficiently and very carefully. In my move they packed my 30-foot U-Haul truck (including my piano) and then unloaded it all at the new place. In both houses they were super cautious about bumping or scratching (both the furniture and the walls) and even rolled out the red carpet to avoid any soil on the floor. Doing all this they moved quickly and with fun positive attitudes. I would definitely hire them again and recommend them for your move!





Kedric and his team were fantastic! With only a couple hours notice, they unloaded a full UPack trailer for us into a two story home including a piano in two hours. Not only are they fast, but they are very careful, taking extra precautions not to damage the items or the home into which they are being moved. Furthermore, Kedric was very professional and made sure that the pricing was clearly communicated beforehand. I cannot say enough positive things about these guys, their work is worth every pennyl I will use them next time we move.



In

Page 1 of 1

14 other reviews that are not currently recommended \*

#### Best of Yelp Pacific - Movers







https://www.yelp.com/biz/acme-moving-labor-pacific

About
About Yelp
Order Food on Eat24
Careers

Press

The Local Yelp
Eat24 Yelp Blog
Support
Yelp Mobile

Discover

Yelp for Business Owners

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English,\*

Countries

United States ▼

## **CALL US NOW: 206-629-7147** (tel:2066297147)

## BOOK YOUR MOVE TODAY!

Just call or fill out the form below

| Number of Helpers *  | Number of Hours *   |  |
|--|---|--|
| 2  | 2   | V  |
| Preferred Start Time *   | Arrival between 5am - 6am   | $\checkmark$   |
| Piano? *   | No Piano  |  |
| loading a trailer, truck or s<br>movers to show up? If using<br>container what size and h<br>what size is the truck or va<br>or assembly required? Act | your order. Moving within the same area? Destorage container? What is the address when a trailer how much trailer space estimate ow many container(s) estimated or used. If an? What are heaviest item(s)? Any stairs, furne Moving Labor supplies the 2 two wheelesthes and dressers, and basic tools. For new supply "Ram Broad". * | re you need the<br>ed or used? If using a<br>using a truck or van<br>rniture disassembling<br>d hand-truck, shrink |
| JOB LOCATION:  |   |  |
|  | he address where you need the movers to s   |  |
| addresses? If the distance<br>will need to place a new of<br>drive to the unloading loca<br>then you will be charged for                               | e loading and unloading on the same date a<br>s between the first and second location is m<br>rder for the second location. The movers an<br>ation, unless driving help was ordered. If dri<br>or driving help for the driver and a per mile<br>ack even thou he or she is driving the moving   | nore than 50 miles you<br>e on the clock as they<br>ving help was<br>fee. Pleas                                    |

Seattle Moving Labor | Moving Labor Washington | Moving Help Seattle - ACME Movin... Page 2 of 4

Phone \* Email \* Requested Date \*

Moving From Address \* Moving To Address \*

Comments or Special Needs \*



## SHOPPER APPROVED REAL CUSTOMER REVIEWS

(http://www.shopperapproved.com/reviews/acmemovinglabor.com/)

We pride ourselves on providing our customers with the best moving experience possible. Don't just take our word for it though. Look at what our customers have to say about us!

Click Here to Learn More (http://www.shopperapproved.com/reviews/acmemovinglabor.com/r





## **LOADING & UNLOADING HELP**

(/our-services/loading-and-unloading-services/)

Let go of the stress as we do the heavy-lifting for you. Our strategic and experienced loading help with get your household goods where they need to go while being cost- and space-efficient. Call today for your free quote!

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Our Services (http://www.acmemovinglabor.com/our-services/other-services/)

Pricing (http://www.acmemovinglabor.com/pricing/)

Testimonials (http://www.acmemovinglabor.com/testimonials/)

Contact Us (http://www.acmemovinglabor.com/contact-us/)

Blog (http://www.acmemovinglabor.com/blog/)

Privacy Policy (http://www.acmemovinglabor.com/privacy-policy/)

f (https://www.facebook.com/pages/Acme-Moving-Labor/766506250038307)

(https://twitter.com/ACMEMovingLabor)

G+ (https://plus.google.com/114284470134367994363/about

CALL US: 206-629-7147
SEATTLE MOVING PROFESSIONALS



Business License: 603-392-230 Insurance Number: SCP1035702 Bond Number: 100282605

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BOOK YOUR MOVE (http://www.acmemovinglabor.com/your-free-quote/)











## **ATTACHMENT B**

WA State Licensing:License Query Search

Page 1 of 1

Search BUSINESS & PROFESSIONAL LICENSES

Search Results

Your Search Criteria:

License Type: All Professional Licenses Business Name: Acme moving labor Last Name: Ball First Name: Cheryl County: All Counties Take a quick Survey

New Search

No matches were found for your search.

Information Current as of 09/12/2016 3:06AM Pacific Time

New Search

Use of lists of individuals provided on this site for commercial purposes is prohibited under Chapter 42.56 of the Revised Code of Washington.

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## Search Results

There were no matches for "ACME Moving".

If the results of your Nonprofit Corporation search was unsuccessful, try searching the name using the <u>Charities database search</u> (http://sos.wa.gov/charities/).

« Start New Search (corps search.aspx)

## Disclaimer

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All documents filed with the Corporations Division are considered public record.

## Search Apps on Mobile Devices



(http://itunes.apple.com/us/app/washington-state-corporations/id380001551?mt=8&uo=4)

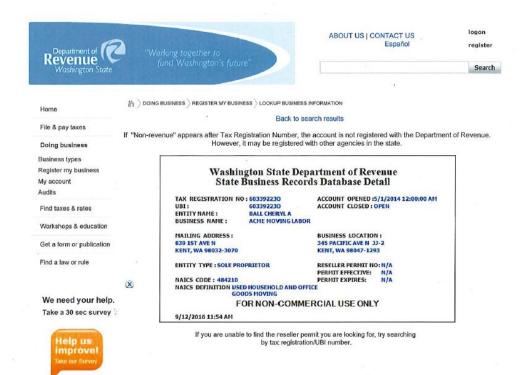


(https://play.google.com/store/apps/details?id=gov.wa.sos.businesSearch2)

## All Corporations Data Download

<u>Download the whole Corporations search database (AllData.aspx)</u> in XML format. Average file size is 70 MB compressed, 750 MB uncompressed.

http://www.sos.wa.gov/corps/search results.aspx?search type=adv&name type=starts wit... 9/12/2016



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Access Washington ...

Volor registration assistance (BECRETARY OF STATE)

## ATTACHMENT C

SAFER Web - Company Snapshot CHERYL BALL

Page 1 of 2

| O USDOT Number | O MC/MX Number | <ul><li>Name</li></ul> |  |
|----------------|----------------|------------------------|--|
| Enter Value:   | CHERYL BALL    |                        |  |
| ]              | Search         |                        |  |

## Company Snapshot

CHERYL BALL USDOT Number: 2154291

## ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety

Carriers: If you would like to update the following ID/Operations information, please complete and submit form MCS-150 which can be obtained online or from your State FMCSA office. If you would like to challenge the accuracy of your company's safety data, you can do so using FMCSA's DataQs system.

Other Information for this Carrier

SMS Results

Carrier and other users: FMCSA provides the Company Safety Profile (CSP) to motor carriers and the general public interested in obtaining greater detail on a particular motor carrier's safety performance then what is captured in the Company Snapshot. To obtain a CSP please visit the <a href="CSP order page">CSP order page</a> or call (800)632-5660 or (703)280-4001 (Fee Required).

For help on the explanation of individual data fields, click on any field name or for help of a general nature go to SAFER General Help.

The information below reflects the content of the FMCSA management information systems as of 09/11/2016.

| Entity Type:  | CARRIER                             |                                 |                  |                             |                       |
|---|-------------------------------------|---------------------------------|------------------|-----------------------------|-----------------------|
| Operating Status:                                   | ACTIVE                              | 11                              | Out of Ser       | vice Date:                  | None                  |
| Legal Name:   | CHERYL BALL                         |                                 |                  |                             |                       |
| DBA Name;   | ACME MOVING LABO                    | R                               |                  |                             |                       |
| Physical Address:                                   | 839 1ST AVE NORTH<br>KENT, WA 98032 |                                 |                  |                             |                       |
| Phone:  | (253) 653-8635                      |                                 |                  |                             |                       |
| Mailing Address:                                    | 839 1ST AVE NORTH<br>KENT, WA 98032 |                                 |                  |                             |                       |
| USDOT Number:                                       | 2154291                             |                                 | State Carrier II | Number:                     |                       |
| MC/MX/FF Number(s):                                 |                                     |                                 | DUNS             | Number:                     | ••                    |
| Power Units:  | 1                                   |                                 |                  | Drivers:                    | 1                     |
| MCS-150 Form Date:                                  | 11/16/2015                          |                                 | MCS-150 Milea    | ge (Year):                  | 1 (2014)              |
| Operation Classification:                           |                                     |                                 |                  |                             |                       |
|   | te(Property)<br>Pass. (Business)    | U.S. Mail<br>Fed. Govt          |                  | Indian I                    | Vation                |
| Interst   | ate                                 | Intrastate 0                    | Only (HM)        | x Intrast                   | ate Only (Non-HM)     |
| Cargo Carried:                                      |                                     | e Paleon C                      | and State        |                             | 4 7                   |
| x General Fro                                       |                                     | Liquids/Gase                    |                  | 0.00                        | nicals                |
| x Household Goods                                   |                                     | Intermodal Cont.                |                  | Commodities Dry Bulk        |                       |
| Metal: sheets, coils, rolls                         |                                     | Passengers                      |                  | Refrigerated Food           |                       |
| Motor Vehicles                                      |                                     | Oilfield Equipment<br>Livestock |                  | Beverages<br>Paper Products |                       |
| Drive/Tow away<br>Logs, Poles, Beams, Lumber        |                                     | Grain, Feed,                    | Hav              | Utiliti                     |                       |
| 200 E C C C C C C C C C C C C C C C C C C           |                                     | Coal/Coke                       | 1.14)            |                             | ultural/Farm Supplies |
| Building Materials                                  |                                     | Meat                            |                  | Construction                |                       |
| Mobile Homes Machinery, Large Objects Fresh Produce |                                     |                                 |                  |                             |                       |

#### ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety Rating

US Inspection results for 24 months prior to: 09/11/2016

Total Inspections: 0
Total IPP Inspections: 0
Note: Total inspections may be less than the sum of vehicle, driver, and hazmat inspections. Go to Inspections Help for further information.

http://safer.fmcsa.dot.gov/query.asp?searchtype=ANY&query\_type=queryCarrierSnapshot... 9/12/2016

|                                 |         | Inspections: |        |     |
|---------------------------------|---------|--------------|--------|-----|
| Inspection Type                 | Vehicle | Driver       | Hazmat | IEP |
| Inspections                     | 0       | 0            | 0      | 0   |
| Out of Service                  | 0       | 0            | 0      | 0   |
| Out of Service %                | 0%      | 0%           | 0%     | 0%  |
| Nat'l Average %<br>(2014- 2015) | 20.34%  | 4.96%        | 3.91%  | N/A |

#### Crashes reported to FMCSA by states for 24 months prior to: 09/11/2016

Note: Crashes listed represent a motor carrier's involvement in reportable crashes, without any determination as to responsibility.

|         |       | Crashes: |     |       |
|---------|-------|----------|-----|-------|
| Туре    | Fatal | Injury   | Tow | Total |
| Crashes | 0     | 0        | 0   | 0     |

## ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety Rating

Canadian Inspection results for 24 months prior to: 09/11/2016

Total inspections: 0

Note: Total inspections may be less than the sum of vehicle and driver inspections. Go to <u>Inspections Help</u> for further information.

|                  | Inspections: |        |
|------------------|--------------|--------|
| Inspection Type  | Vehi cle     | Driver |
| Inspections      | 0            | 0      |
| Out of Service   | 0            | 0      |
| Out of Service % | 0%           | 0%     |

#### Crashes results for 24 months prior to: 09/11/2016

Note: Crashes listed represent a motor carrier's involvement in reportable crashes, without any determination as to responsibility.

|         |       | Crashes: |     |       |
|---------|-------|----------|-----|-------|
| Туре    | Fatal | Inju ry  | Tow | Total |
| Crashes | 0     | 0        | 0   | 0     |

## ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety Rating

The Federal safety rating does not necessarily reflect the safety of the carrier when operating in intrastate commerce.

The rating below is current as of: 09/11/2016

## Review Information:

| Rating Date: | None | Review Date: | None |  |
|--------------|------|--------------|------|--|
| Rating:      | None | Type:        | Nene |  |

SAFER Home | Feedback | Privacy Policy | USA.gov | Freedom of Information Act (FOIA) | Accessibility | OIG Hotline | Web Policies and Important Links | Plug-ins Federal Motor Carrier Safety Administration 1200 New Jersey Avenue SE, Washington, DC 20590 • 1-800-832-5660 • TTY; 1-800-877-8339 • Field Office Contacts

## ATTACHMENT D

Pages - Companies Search Page 1 of 1 SharePoint Newsfeed OneDrive Sites Jones, Rachel (UTC) -Search Company Name v. p Companies Search

Recently Modified Companies

Q Acme Moving

Company Name All company fields Industry

We don't have any refiners to show you Preference for results in English =

Nothing here matches your search

#### Suggestions

- · Make sure all words are spelled correctly
- · Try different search terms
- Try more general search terms
   Try fewer search terms
   Try these tips for searching

Preferences Advanced Search

## ATTACHMENT E



#### STATE OF WASHINGTON

## UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250 (360) 664-1160 • TTY (360) 586-8203

Sept. 19, 2016

Cheryl Ball Acme Moving Labor 839 1<sup>st</sup> Ave N Kent, WA 98032-3070

RE: Household Goods Moving in Washington State

Dear Ms. Ball:

The Utilities and Transportation Commission has information that you are conducting household goods moves within the state of Washington. Advertisements for your household goods moving services have been found on <a href="https://www.yelp.com">www.yelp.com</a> and <a href="https://www.acmemovinglabor.com">www.yelp.com</a> and <a href="https://www.acmemovinglabor.com">www.acmemovinglabor.com</a>. You do not have a valid permit, as required by state law, to conduct this type of work. Conducting household good moves requires a permit issued by the commission.

To avoid enforcement action, your completed household goods permit application, supporting materials, and application fee must be submitted to the commission by Oct. 03, 2016.

Until you obtain a permit, you must immediately <u>cease advertising</u> as a household goods mover in Washington State. Advertising for the transportation of property for compensation in Washington without a proper permit is against the law. The penalty for advertising without a permit is \$5000 per violation. This means that you may receive a penalty for each and every advertisement. At this time, the commission has documented advertisements for Acme Moving Labor.

If you advertise or operate as a household goods mover without a permit, the commission will take enforcement action against you. Such action will include the above-mentioned financial penalities, and you will be served with a subpoena and be required to appear before a judge.

Respect. Professionalism. Integrity. Accountability.

Acme Moving Labor Sept. 19, 2016 Page 2

Again, to avoid enforcement action, you complete application, supporting materials, and application fee must be submitted to the commission by Oct. 03, 2016.

If you have any questions about the household goods laws, please contact Rachel Jones, Compliance Investigator, at (360) 664-1129.

Should you decide to apply for a household goods moving permit, please note that you still may not operate as a household goods mover in Washington State until you have received a permit. To request a permit application, please call (360) 664-1222. You may also download an application from the commission's website at <a href="http://utc.wa.gov/mover">http://utc.wa.gov/mover</a>.

Sincerely,

Susie Paul, Compliance Investigations Manager

Consumer Protection

## **ATTACHMENT F**

TO: WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION
P.O. BOX 47250
OLYMPIA, WASHINGTON 98504

FROM: ACME MOVING LABOR 839 1<sup>ST</sup> AVENUE NORTH KENT, WASHINGTON 98032



1300 S. Evergreen Park Drive SW P.O. Box 47250 Olympia, WA 98504-7250 Phone: 360-664-1222 Fax: 360-586-1181 TTY: 360-586-8203 1-800-416-5289 email: transportation@utc.wa.gov

## HOUSEHOLD GOODS MOVING COMPANY

You are required to have a permit from the commission before operating as a household goods moving (HHG) company in Washington State. Also, you must obtain a USDOT number before your HHG permit can be issued. Once your HHG permit is issued, keep a copy of your permit in your vehicle.

This application packet contains the following information:

- Application Form and Attachments
- Checklist
- WAC 480-15 Rules Relating to Household Goods Carriers
- Your Guide to a Satisfactory Safety Rating

#### Insurance Requirements

File and maintain Public Liability and Property Damage Insurance (Form E) with the commission covering all vehicles operating under your household goods permit. Additionally, a copy of your cargo insurance for each vehicle you operate must be filed with us. Retain proof of insurance coverage at your office and have it available for inspection by commission staff.

| Insurance | minimum | limits | are: |
|-----------|---------|--------|------|
|-----------|---------|--------|------|

| Insurance minimum limits are: |  |
|-------------------------------|--|
| Vehicles under 10,000 GVWR    | \$300,000 combined single limit of public liability and property damage insurance            |
| Vehicles 10,000 GVWR and more | (Form E) AND \$10,000 cargo insurance<br>\$750,000 combined single limit of public liability |
| Verificial 20,000             | and property damage insurance<br>(Form E) AND \$20,000 cargo insurance                       |

## **Commission Contacts:**

You may contact our Licensing Services staff for assistance at 360-664-1222. The commission has a policy of providing equal access to its services. If you need special accommodations, please call 360-664-1133 or TTY 360-586-8203 or 1-800-416-5289.

Please submit application forms, appropriate attachments, and proof of insurance to the address below:

Washington Utilities and Transportation Commission P.O. Box 47250 Olympia, Washington 98504-7250

If paying by credit card, you may fax your application to 360-586-1181 or scan and email to transportation@utc.wa.gov.



## CHECKLIST

Please make sure the following items are included with your Household Goods Moving application:

| CO CO Report Rep | mpleted application mpleted application and fee gister with Department of Labor & Industries gister with Employment Security Department gister with Department of Revenue gister with the Business Licensing Service (UBI #) gister with Secretary of State's Office (if corporation) py of valid driver's license or government issued photo ID card for each person named in the plication idence of enrollment in a drug and alcohol testing program, or evidence that you have in face your own drug and alcohol testing program, if your company operates commercial whicles and has CDL drivers. See 49 CFR 382(e) and 383.5. idence of insurance - combined single limit of public liability and property damage (Form E) and cargo insurance (Form H). ttachment A - Three or more completed statements of support from people in the community |
|--|---|
| SI   | pporting the proposed service   |
| C  | an existing household goods moving company: completed application and correct fee egister with Department of Labor & Industries egister with Employment Security Department egister with Department of Revenue egister with Department of Revenue egister with Secretary of State's Office (if corporation) copy of valid driver's license or government issued photo ID card for each person named in the pplication vidence of your enrollment in a drug and alcohol testing program, or evidence that you have in blace your own drug and alcohol testing program, if your company operates commercial methicles and has CDL drivers. See 49 CFR 382(e) and 383.5.   |
|  | Attachments B & C, if appropriate Closing Annual report from the current company Evidence of insurance - combined single limit of public liability and property damage (Form E)   |
|  | Certified statement from the applicant and the current owner explaining why the danser of   |
|  | ownership or control is necessary to ensure the company's coordinate the steps taken by the<br>Certified statement from the applicant and the current owner describing the steps taken by the<br>parties to ensure the safe operations and continuity of service to customer is maintained  |
|  | the the surrent company before the  |

NOTE: For Transfers – a closing annual report must be submitted by the current company before the transfer will be finalized.



1300 S. Evergreen Park Drive SW P.O. Box 47250 Olympia, WA 98504-7250 Phone: 360-664-1222 Fax: 360-586-1181 TTY: 360-586-8203 or 1-800-416-5289

1-800-416-5289 email: transportation@utc.wa.gov

# HOUSEHOLD GOODS MOVING COMPANY PERMIT APPLICATION

|                     | r.              | IXIVITY ALL COLOR |                    |
|---------------------|-----------------|-------------------|--------------------|
| FOR OFFICIAL USE ON | LY              | T                 | Docket#            |
| Date Filed:         | DOL/SOS:        | ID:               |                    |
| Staff Assigned      | Insurance       | Inspection        | Permit Issued THG- |
|                     | 111-0268-207-02 | 111-0268-013-20   |                    |
| Reception #         | 111-0200 207 01 |                   |                    |

| Type of Household Goods Authority Requested - check one  | Fee Required |
|--|--------------|
| Provisional and permanent authority. The fee for provisional, and then permanent authority is a one-time fee. Complete pages 3-8 and Attachment A.   | \$ 550       |
| Permanent authority to transfer resulting in a change in ownership or controlling interest (at least six months must be served on a temporary provisional basis). Complete pages 3-8, Attachment B, and a closing annual report from current company | \$ 550       |
| Permanent authority to transfer under the exceptions in <u>WAC 480-15-187</u> . Complete pages 3-8, Attachments B & C, and a closing annual report from current company  | \$ 250       |
| Reinstatement of permit (must be filed within 30 days of cancellation, depending on criteria set forth in WAC 480-15-450). Complete pages 3-5 and include a statement justifying the reinstatement.  | \$ 250       |
| ☐ Name Change — Complete pages 3-5 and Attachment D.   | \$ 35        |
| BUSINESS INFORMATION   |              |
| Legal Name: CHERYL ANN BALL  [must be individual, partners of a partnership or corporation]  Trade Name, if applicable ACME MOYING LABOR  Physical Address 839 IST AVENUE NORTH  |              |
| Mailing Address SAME ABOVE   | - 4524       |
| Telephone Number 253) 653 8635 Fax Number 277) 345   | 7746         |

|  | TY                                     | PE OF PAY                          | MENT              |               |              |                     |          | 1     |
|--|--|------------------------------------|-------------------|---------------|--------------|---------------------|----------|-------|
| NOTE: A convenience fee o credit card payments.  | of 2.5% (minimu                        | ım fee of \$3.95                   | i) is charged     | by Offici     | al Payme     | ents for            | proces   | ising |
| Check  | er                                     |                                    | Amo               | ount: \$      | 550          | . 60                |          | -     |
| □ Amex CCV#  | (four digit code or                    | front of card)                     | Expi              | ration Da     | te:          |                     |          |       |
| ☐ Discover ☐ Mastercard  | I □ Visa                               | CCV #                              | (th               | ree digit cod | le on back o | f card)             |          |       |
| Credit Card number:  |  |                                    |                   |               |              | T                   |          |       |
| CERTIFICATION: I, the unde information is true and corrapplicant, and that all informations. | rect, that I am a<br>mation on file is | uthorized to ex<br>s current and v | ecute and fi      | , certify t   | hat the fo   | ollowing<br>on beha | If of th | ie    |
| Company Name: A CM   |  |                                    |                   |               | na Posso     |                     |          |       |
| Name (printed):  | YLA.                                   | BALL                               | Date:             | 091           | 6/20         | 210                 |          |       |
| Signature: Muy   | A. Ball                                | 7                                  | _Title: <b></b> _ | WNE           | JR_          |                     |          |       |

If paying by credit card, you may fax your application to 360-586-1181 or scan and email to  $\underline{transportation@utc.wa.gov}$ 



|   | BUSINESS INFORMATION - continued   |
|---|--|
| BI#: 603  | -392 -230 Email: acmemovingla box ag   |
| SDOT # 7 16   | [If you currently don't have one, go online at gov/online-registration to apply or call 360-596-3812 for assistance.]  |
| epartment of <u>La</u>  | bor & Industries Worker's Comp account # 304 63 600  |
| mployment Secu  | rity Department registration number 000 - 015 354-00-8   |
| your business r   | egistered with the Department of Revenue?   No Wes   |
| 0.4   | TYPE OF BUSINESS STRUCTURE   |
| Individual  | ☐ Partnership ☐ Corporation ☐ Other (LP, LLP, LLC) State of Incorporation  |
| ist the name, tit   | e and percentage of partner's share or stock distribution for major stockholders:  |
| Name  | Title Stock Distribution or % of Share   |
| ELERYL  | ANN BALL OWNER   |
| 2. Briefly descr<br>L. CHER<br>L. | be your experience in the transportation/household goods moving industry:  A BAL HAVE BEEN PROVIDING MOVING  A PROVIDING MOVIN |
| 4. Have you ev<br>Washington  | er applied for and been denied a permit to operate as a motor carrier of property in  P Mo Yes If yes, please explain  |
| 5. Do you curre   | ently operate interstate? ☑No ☐ Yes If yes, please indicate your MC#   |
| 6. Do you oper  | ate interstate as an agent of another company? KNo UYes is the name of the company?  |
|   |  |

7. Do you have, or have you ever had a business-related legal proceeding against you in Washington, or in any other state? ☑ No ☐ Yes If yes, please list below:

| Type of Legal Proceeding | Date | Stat |
|--------------------------|------|------|
| Type of Legar Frocecums  |      |      |
|                          |      |      |
|                          |      |      |
|                          |      |      |

<sup>\*</sup>attach additional pages if necessary

8. Has any person named in this application ever been convicted of any crime involving theft, burglary, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale, or distribution of a controlled substance? 

No Person If yes, please list below:

| Type of Conviction                    | , Date    | City/State           |
|---------------------------------------|-----------|----------------------|
| PLEASE CONDUCT INDIVID                | UALIZED F | ISSESSMEN!           |
| INREFERENCE TO "BANK                  | ING THE F | Box". House BILL 110 |
| *attach additional pages if necessary | *         | 84                   |

9. Has any person named in this application, been cited for violation of state laws or Commission rules? 

No □ Yes If yes, please list below:

| Violation | Date | RCW/WAC |
|-----------|------|---------|
|           |      |         |
|           |      |         |

<sup>\*</sup>attach additional pages if necessary

| Complete the follow  | FINAI<br>ing financial stateme | NCIAL STATEMENT<br>nt or attach a balance sheet, profit an<br>business plan. | d loss statement, or |
|----------------------|--------------------------------|--|----------------------|
| Ass                  | ets                            | Liabilities  |                      |
| Cash in Bank         | \$15,000.                      | Salaries/Wages Payable   | \$49 000             |
| Notes Receivable     | \$ <b>Ø</b>                    | Accounts Payable   | \$ 2,725.            |
| Investments          | \$1,500.                       | Notes Payable  | \$ 456.52            |
| Other Current Assets | \$ 6                           | Mortgages Payable  | \$ <b>%</b>          |
| Prepaid Expenses     | \$ 3,525.                      | TOTAL LIABLITIES   | \$ 43,181.5          |
| Land and Buildings   | s <b>Ø</b>                     | NET WORTH  | \$18,156,5           |
| Trucks and Trailers  | \$35,000.                      | Preferred Stock  | \$ 705               |
| Office Furniture     | \$1,000,                       | Common Stock   | \$ <b>&amp;</b>      |
| Other Equipment      | \$ 4.000                       | Retained Earnings  | \$ 35,000.           |
| Other Assets         | \$ 6                           | Capital  | \$ 15,060 -          |
| TOTAL ASSETS         | \$ 25,025                      | TOTAL LIABILITIES & NET WORTH  | \$33,156,5           |

|                      | Describe the eq             | EQUIPME<br>uipment you will own<br>(attach additional sh | or lease to provide moving service | es                      |
|----------------------|-----------------------------|--|------------------------------------|-------------------------|
| Year                 | Make                        | License Number   | Vehicle ID Number                  | Gross Vehicle<br>Weight |
| 2006<br>1996<br>1993 | FRIGHT LINER<br>FORD<br>GMC | C15419F<br>007 PP2<br>C45796D                            | 1FB) 53144THB259                   | 40 10,000               |

## SAFETY AND OPERATIONS

CONTROLLED SUBSTANCE AND ALCOHOL USE AND TESTING (<u>Title 49, Code of Federal Regulations Part 382 and Part 40</u>). If you operate commercial motor vehicles, your drivers must be in a Controlled Substance and Alcohol Use and Testing program. You must have an alcohol and controlled substances testing program. Please attach evidence of your enrollment in a drug and alcohol testing program.

## SAFETY RESPONSIBILITIES

List the person and position responsible for understanding and complying with the Federal Motor Carrier Safety Regulations (FMCSR) and Washington State Laws and commission rules (WAC) as described below. Please refer to the WAC rules, Fact Sheets and publication "Your Guide to Achieving a Satisfactory Safety Rating" for assistance with requirements that may apply to your specific operations

COMMERCIAL DRIVER'S LICENSE (CDL) STANDARDS REQUIREMENT AND PENALTIES (Title 49, Code of Federal Regulations Part 383). If you operate commercial motor vehicles, your drivers must have a valid CDL.

DRIVER QUALIFICATION REQUIREMENTS: (Title 49, Code of Federal Regulations Part 391). Each of your drivers must meet minimum qualification requirements. You must maintain driver qualification files for each driver.

DRIVERS HOURS OF SERVICE (Title 49, Code of Federal Regulations Part 395). Each of your drivers must maintain hours of service logs. You must maintain true and accurate hours of service records for each driver.

INSPECTION, REPAIR AND MAINTENANCE (Title 49, Code of Federal Regulations Part 396). You must systematically inspect, repair, and maintain all motor vehicles.

PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION (Title 49, Code of Federal Regulations Part 393). You must maintain parts and accessories in a safe condition.

LIABILITY INSURANCE REQUIREMENTS (WAC 480-15-530). You must file and maintain proof of public liability and proper damage insurance (\$300,000 minimum coverage for vehicles under 10,000 pounds GVWR and \$750,000 minimum coverage for vehicles 10,000 pounds GVWR or more)

CARGO INSURANCE REQUIREMENTS (WAC 480-15-550). You must maintain cargo insurance coverage (\$10,000 for household goods transported in motor vehicles under 10,000 pounds GVWR and \$20,000 for vehicles 10,000 pounds GVWR or more).

| pounds GVWR or more). |        | 7          |         |
|-----------------------|--------|------------|---------|
| Name:                 |        | Position:  |         |
| KEDRIL D.             | ACKSON | OPERATIONS | MANAGER |
|                       |        | E a        | 7       |

| OPERATIONAL RESPONSIBILITIES   |
|--|
| Annual Reports and Regulatory Fees (WAC 480-15-480). You must annually file a report of your   |
| financial operations and pay regulatory fees.  |
| Name: Position:  |
| CDEOTING SIGNAGE   |
| The support laws rules and regulations: Individuals and companies doing business in  |
|  |
|  |
|  |
| y the state of the provisiting wage! Denarment of Licensing (vehicle and different provisiting wage).  |
| to the state of th |
| registrations); Department of Transportation (over-size or over-weight permits); Department of Revenue,  |
| Internal Revenue Service (taxes); and Employment Security.   |
| Name: KEDRIL D. ACKSON Position OF ECATIONS MANAGER  |
| KEDEIL D. ACKSONS OPERATIONS INTO  |
|  |
| If you would like to receive information about new household goods carriers, check here  |
| DESCRIPTION OF ADDISCANT   |
| DECLARATION OF APPLICANT   |
| I understand that filing this application does not in itself constitute authority to operate as a household  |
| goods mover.   |
| As the applicant for a household goods permit, I understand the responsibilities of a motor carrier and I  |
| am in compliance with all local, state and federal regulations governing businesses, including household   |
| goods movers, in the state of Washington.  |
|  |
| I understand that if the commission grants my application as a new entrant I will receive temporary  |
| the state are side service as a household goods carrier on a provisional basis for at least six mothers.   |
| But a this time the commission will evaluate whether I have the time the criteria in Will evaluate   |
| obtain permanent authority. Lalso understand that I must comply with all conditions placed on my   |
| temporary permit and that failure to do so will result in cancellation of my permit.   |
|  |
| My employees are sufficiently trained to comply with commission rules regarding estimates, bills of  |
| lading, rates and charges and terms and conditions of household goods moves. In addition, my   |
| employees are sufficiently trained to comply with commission rules regarding vehicle operation, maintenance, and all other safety requirements. My company will provide a copy of the customer survey  |
| maintenance, and all other sarety requirements, my company with provide  |
| to each customer for whom we provide transportation service.   |
| I understand the commission will complete a criminal background check on each person named in the  |
| application.   |
|  |
| I certify or declare under penalty of perjury under the laws of the State of Washington that the   |
| information contained in this application is true and correct.   |
| E I  |
| 01.1   |
| Chery A Ball Chew A. Ball 9/16/2016  |
| City of the state  |
| Print name of applicant Signature of Applicant Date and Escation   |

## ATTACHMENT G

October 01, 2016

Susie Paul
Compliance Investigations Manager
Utilities Transportation Commission
1300 S. Evergreen Park Dr. S.W.
P.O. Box 47250
Olympia, Washington 98504-8203

RE: Continuance to change Online Marketing Advertisements Deadline

Dear Ms. Paul:

Acme Moving Labor is requesting a continuance to cease Advertising as a household mover to October 13, 2016.

Currently, Acme Moving Labor is working with its Marketing Company to make the necessary changes to Acme Moving Labor's website and Yelp.com to become compliant with WAC 480-15-181 "Operations that do not require a household goods permit".

Acme Moving Labor is open to working with one of UTC's compliance investigator for any technical assistance during this continuance period.

If you have any questions, please contacting me at your earliest convenience.

Respectfully requested,

Kedric Jackson
Operations Manager
Acme Moving Labor

cc: Cheryl Ball Emailed 10/3/2016 UTC Closed 10/3/2016

Acme Moving Labor

839 1st Avenue North

Kent, Washington 98032

Phone: 877 456 5226

Fax: 877 345 4526

## Jones, Rachel (UTC)

From:

Paul, Susie (UTC)

Sent:

Tuesday, October 4, 2016 4:45 PM

To:

Kedric Jackson Jones, Rachel (UTC)

Cc: Subject:

RE: Continuance to change Online Marketing Advertisements Deadline

Dear Mr. Jackson,

Thank you for your email on behalf of Acme Moving Labor. In your email, you request an extension for making necessary changes to the company's website and on-line advertising until Oct. 13, 2016. Your request is granted.

Your company may not perform any residential household goods moves within the state of Washington until you obtain the required permit from UTC. Please let me know if you have any questions.

Thank you.

## Susie Paul

Compliance Investigations Manager (360) 664-1105 Office spaul@utc.wa.gov

## **Utilities and Transportation Commission**

Respect. Professionalism. Integrity. Accountability.

www.utc.wa.gov







## ATTACHMENT H

Service Date: October 19, 2016

# BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Application of

CHERYL ANN BALL d/b/a ACME MOVING LABOR

for a permit to operate as a motor carrier of household goods.

**DOCKET TV-161097** 

NOTICE OF INTENT TO DENY APPLICATION FOR PERMANENT AUTHORITY

NOTICE OF OPPORTUNITY FOR HEARING

## BACKGROUND

- On September 29, 2016, Cheryl Ann Ball d/b/a Acme Moving Labor (Acme Moving Labor or Applicant) filed an application with the Washington Utilities and Transportation Commission (Commission) for authority to operate as a household goods carrier in the state of Washington (Application). Cheryl Ann Ball, the company's owner, signed the Application, which identified Kedric D. Jackson as Acme Moving Labor's Operations Manager.
- 2 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.
- 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. Commission 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.
  - The Commission will not grant permanent authority if an applicant or any of its employees has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale or distribution of a controlled substance within five years of the date of the application<sup>1</sup> or more than

<sup>1</sup> WAC 480-15-302(8)(a)

DOCKET TV-161097 PAGE 2

five years prior to the date of the application if the Commission determines that the nature or extent of the crime(s) will likely interfere with the proper operation of a household goods moving company.<sup>2</sup>

- 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>3</sup>
- 6 Commission Staff (Staff) has reviewed the Application, and recommends that the Commission deny the Application for reasons set out below.

#### FACTUAL ALLEGATIONS

- On October 4, 2016, Staff generated a Washington Access to Criminal History (WATCH) report issued by the Washington State Patrol Identification and Criminal History Section for both Ms. Cheryl Ann Ball, owner, and Mr. Kedric D. Jackson, Operations Manager.
- The WATCH report documents that Mr. Jackson was convicted of Assault 4 on December 2, 2011, which is within the five years from the date Acme Moving Labor filed its application. Pursuant to WAC-480-15-302(8)(a), the Commission will not grant permanent authority if an applicant or any of its employees has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale or distribution of a controlled substance within five years of the date of the application.
- 9 Staff recommends the Commission deny the Application for Acme Moving Labor for failure to meet the requirements of WAC 480-15-302(8)(a). Staff believes that Mr. Jackson's Assault 4 conviction from December 2, 2011, poses an unacceptable risk to consumers and their belongings if he is involved in Acme Moving Labor's operations.
- 10 The WATCH report also states that Mr. Jackson was convicted of the following additional offenses:
  - Assault 4 November 16, 2009
  - Theft 2 January 11, 2006

<sup>&</sup>lt;sup>2</sup> WAC 480-15-302(8)(b)

<sup>3</sup> WAC 480-15-350

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- Violation of the Uniform Controlled Substances Act for the Manufacture/Delivery/Possession of a Controlled Substance with Intent – March 6, 2000
- Assault 4 May 3, 1996
- Assault 2 July 21, 1986
- 11 Under WAC 480-15-302(8)(b), the Commission will deny operating authority to an applicant if a person named in the application has been convicted of any crime involving theft, burglary, assault, sexual misconduct, identity theft, fraud, false statements, or the manufacture, sale, or distribution of a controlled substance more than five years prior to the date of the application and the commission determines that the nature or extent of the crime(s) will likely interfere with the proper operation of a household goods moving company. Staff believes that the nature and extent of Mr. Jackson's additional convictions will likely interfere with the proper operation of a household goods moving company. Accordingly, Staff also recommends the Commission deny the Application for Acme Moving Labor based on WAC 480-15-302(8)(b).
- 12 The WATCH report further states that Mr. Jackson was convicted of the following additional crimes:
  - Malicious Mischief 2 December 2, 2011
  - Reckless Driving December 8, 2011
  - Riot with a Deadly Weapon November 16, 2009
- While these offenses are not among those listed in WAC 480-15-302(8)(b), Staff believes that these convictions, in conjunction with his other crimes, are an additional basis to deny the application under WAC 480-15-302(13). Permitting a company that employs Mr. Jackson with his extensive criminal history to operate as a household goods moving company would pose an unacceptable risk to consumers and their belongings.

### DISCUSSION

Based on the information Staff has presented, the Commission agrees with Staff's recommendation and intends to deny the Application. The facts of which the Commission are aware demonstrate that Kedric D. Jackson's position as Operations Manager renders Acme Moving Labor unfit to operate as a household goods moving company because of his criminal history.

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Staff's findings support the conclusion that the Applicant has failed to meet the requirements of WAC 480-15-302(8) and WAC 480-15-302(13) and that the Commission should deny the Application.

### NOTICE

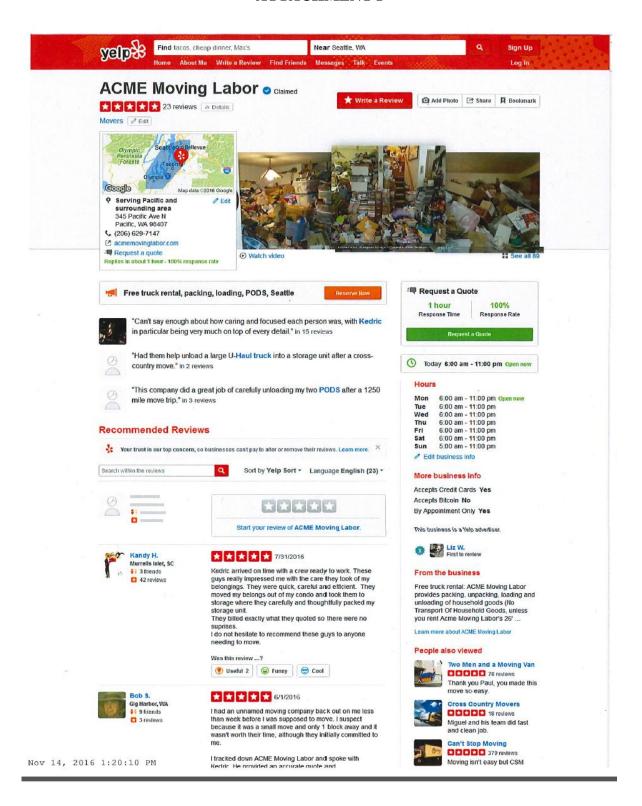
- The Commission hereby provides notice of its intention to deny Acme Moving Labor's Application for permanent authority for failure to meet the application requirements in RCW 81.80 and WAC 480-15.
- NOTICE OF OPPORTUNITY FOR HEARING. Acme Moving Labor may request a hearing to contest the factual allegations set out in this notice. Acme Moving Labor may request such a hearing by filing a written request for a hearing with the Commission by October 31, 2016. An original and five (5) paper copies of the request must be directed to the attention of Steven V. King, Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, and must reference Docket TV-161097.
- If Acme Moving Labor requests a hearing by **October 31, 2016**, the Commission will schedule a brief adjudicative proceeding under RCW 34.05.482 and WAC 480-07-610. If Acme Moving Labor does not request a hearing by that date, the Commission will enter an order rejecting the Application.

DATED at Olympia, Washington, and effective October 19, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

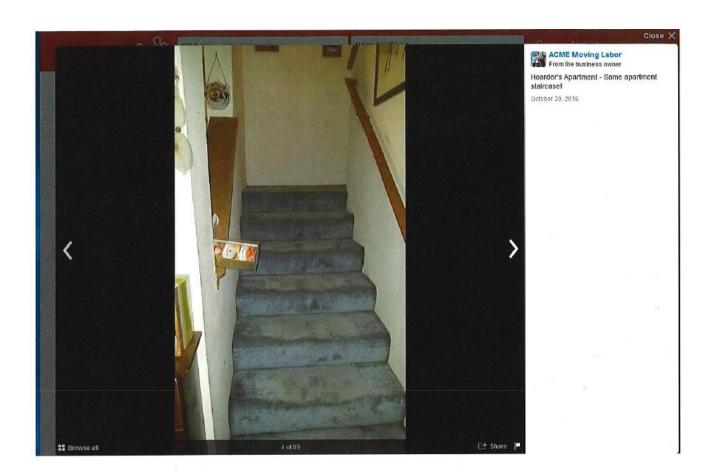
STEVEN V. KING Executive Director and Secretary

## ATTACHMENT I

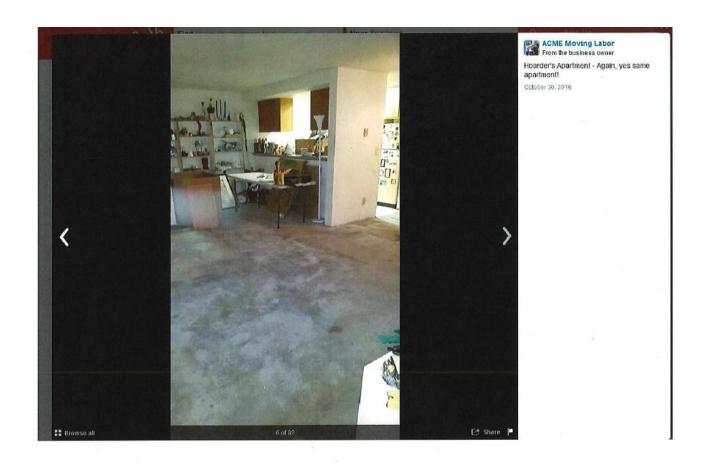




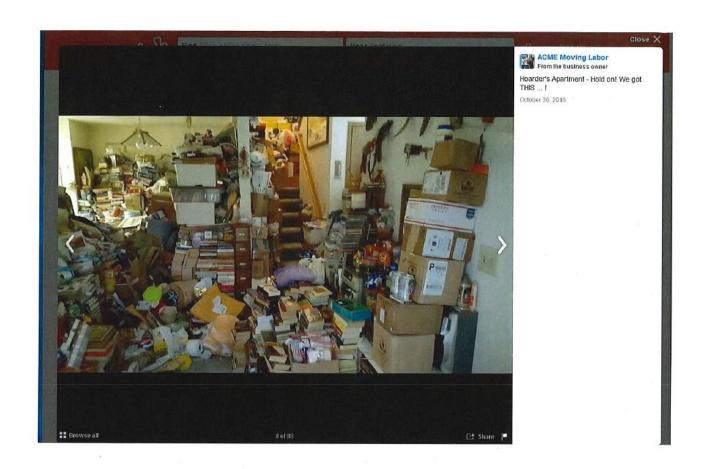


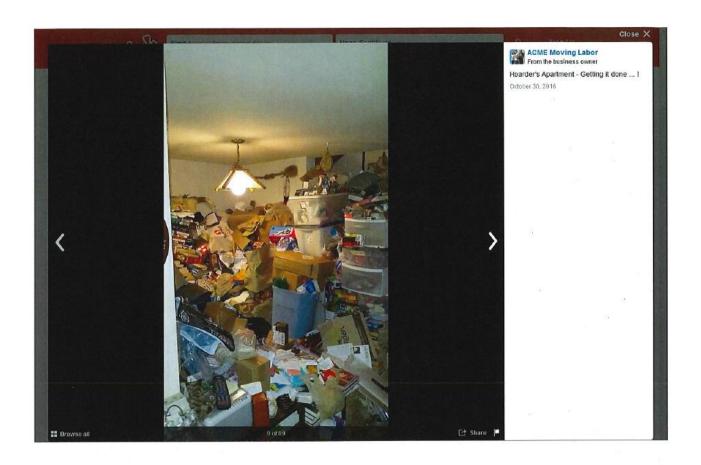


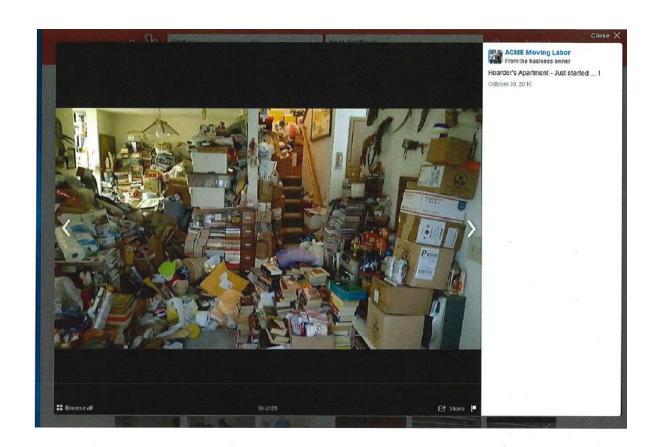


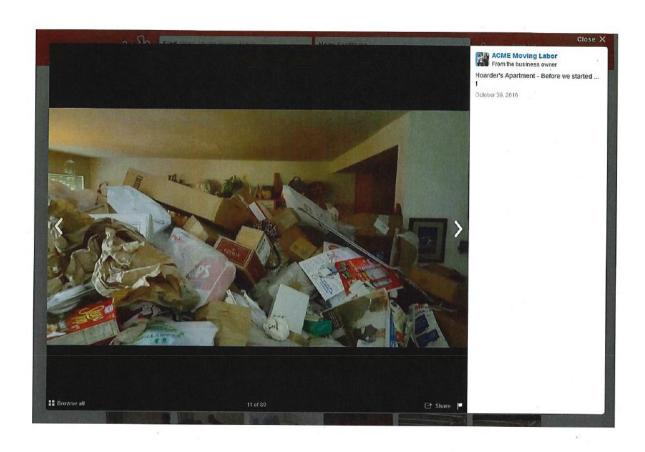






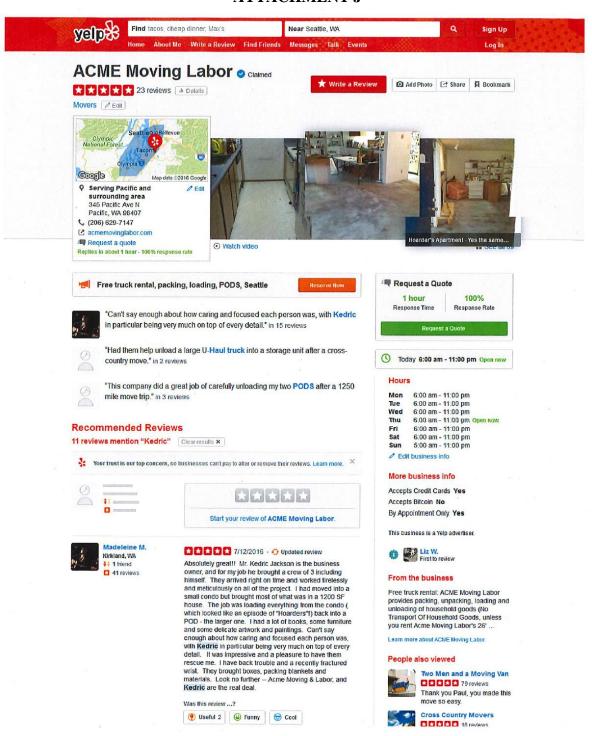








### ATTACHMENT J



# From the business



### **Specialties**

Free truck rental: ACME Moving Labor provides packing, unpacking, loading and unloading of household goods (No Transport Of Household Goods, unless you rent Acme Moving Labor's 26' freightliner truck for free) for Seattle and surrounding areas. We are passionate about helping make the moving process easier for residential, commercial and office sized moves. Relocation stresses can put a strain on your family relationships and friendships, not to mention on your health. Let the highly trained and qualified team at ACME take that stress off your shoulders with our moving labor services.

Our licensed and insured services are customize-able to your needs. If you have your home packed up, but want our help with the heavy lifting then we can do that. Or if you would like us to take care of the entire (except transport, unless you rent Acme Moving Labor's 26' Freightliner truck for "free") move process then we have teams available for a full service move. We even offer emergency services if you have an unavoidable situation arise. No matter what your needs are, we have a team for you. Contact Us Today for a Free Quote!

Close

100

•••• Verizon LTE

9:37 AM





Today 8:15 AM

Edit

From: Yelp >

Hide

To: Patty D. >

# New message from ACME Moving Labor

December 1, 2016 at 7:08 PM

# yelp

Hi Patty, Kedric sent you a message on Yelp:



Kedric J. Manager

**Subject:** RE: Message from Patty D. for ACME Moving Labor

"Hi Patty,

Unfortunately Acme Moving Labor is unavailable.

Thank you very much, Kedric Jackson"







To: Yelp > Hide

From: Patty Dana >

# Re: New message from ACME Moving Labor

December 1, 2016 at 7:14 PM

Thank you

Do you have any recommendations

# Sent from my iPhone

On Dec 1, 2016, at 7:08 PM, Yelp <a href="mailto:reply+eec2366ec9ef46488d7038ecd5c1d7aa@messaging.yelp.com">reply+eec2366ec9ef46488d7038ecd5c1d7aa@messaging.yelp.com</a> wrote:









From: Yelp >

Hide

To: Patty D. >

# New message from ACME Moving Labor

December 1, 2016 at 7:37 PM

# **yelp**

Hi Patty, Kedric sent you a message on Yelp:



Kedric J. Manager

Subject: RE: Message from Patty D. for ACME Moving Labor

"What date are you looking at moving?"

To reply, just respond to this email

Or visit Yelp to reply from your account



\_\_\_\_\_

To: Yelp > Hide

From: Patty Dana >

# Re: New message from ACME Moving Labor

December 2, 2016 at 8:01 AM

Sorry for the delay response
I spent my night trying to find
someone to help me
I'm looking for help on December
16

Patty

Sent from my iPhone

On Dec 1, 2016, at 7:37 PM, Yelp <<u>reply+35ebe3d8eba04253b451b</u> c1d017b0014@messaging.yelp.c om> wrote:



8:15 AM





From: Yelp >

Hide

To: Patty D. >

# New message from ACME Moving Labor

December 2, 2016 at 8:10 AM

# **yelp**

Hi Patty, Kedric sent you a message on Yelp:



Kedric J. Manager

Subject: RE: Message from Patty D. for ACME Moving Labor

"Hi Patty,

I can rearrange our schedule to help you get moved on 16th. Please give me a call 253 653 8635.

Thanks, Kedric"

## ATTACHMENT K



Ross A. Day\* Matthew Swihart† \* LICENSED IN OREGON AND WASHINGTON † LICENSED IN OREGON AND FLORIDA

December 2, 2016

via electronic mail (sking@utc.wa.gov) and first-class mail

Steven V. King
Executive Director and Secretary
Washington Utilities and Transportation Commission
Docket # TV-161097
P.O. Box 47250
Olympia, WA 98504-7250

RE: Docket # TV-161097 - Notice of withdrawal of application

Director King:

As you are aware, my office represents the applicant in the above-referenced matter.

My client asks the Commission to withdraw my client's application from further consideration.

I have spoken with counsel for the Commission and the Commission has no objection to this request.

Please confirm my client's application is withdrawn from further consideration by the Commission and that the hearing scheduled for December  $6^{th}$ , 2016 is removed from the docket.

Thank you in advance.

Ross Day
Attorney for Cheryl Ball

cc: Client

Jeff Roberson, UTC Counsel

Lisa Wyse (by email only: lwyse@utc.wa.gov)

15055 SW Sequoia Parkway, Suite 170, Portland, Oregon 97224 Tel: 503.747.2705 • Fax: 503.624.2599 • Web: www.daylawpc.com

# ATTACHMENT L

Page 1 of 1



# ACME MOVING LABOR, LLC

| UBI Number                   | 604045542                |
|------------------------------|--------------------------|
| Category                     | μc                       |
| Active/inactive              | Active                   |
| State Of Incorporation       | WA                       |
| WA Filing Date               | 10/07/2016               |
| Expiration Date              | 10/31/2017               |
| Inactive Date                |                          |
| Duration                     | Perpetual                |
| Registered Agent Information |                          |
| Agent Name                   | ROSS DAY                 |
| Address                      | 170 S LINCOLN ST STE 100 |
| City                         | SPOKANE                  |
| State                        | WA                       |
| ZIP                          | 992014443                |
| Special Address Information  |                          |
| Address                      |                          |
| City                         |                          |
| State                        |                          |
| Zip                          |                          |

Search BUSINESS & PROFESSIONAL LICENSES

Search Results

Take a quick Survey

New Search

#### Your Search Criteria:

License Type: All Professional Licenses Business Name: Acme Moving Labor Last Name: Ball First Name: Cheryl County: All Counties

No matches were found for your search.

Information Current as of 12/14/2016 3:07AM Pacific Time

New Search

Use of lists of individuals provided on this site for commercial purposes is prohibited under Chapter 42.56 of the Revised Code of Washington.

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| O USDOT Number | O MC/MX Number | <ul><li>Name</li></ul> |
|----------------|----------------|------------------------|
| Enter Value:   | CHERYL BALL    | ]                      |
| Ī              | Search         |                        |

# Company Snapshot

CHERYL BALL USDOT Number: 2154291

#### ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety Rating

Carriers: If you would like to update the following ID/Operations information, please complete and submit form <u>MCS-150</u> which can be obtained <u>unline</u> or from your State FMCSA office. If you would like to challenge the accuracy of your company's safety data, you can do so using FMCSA's <u>DataQs</u> system.

Other Information for this Carrier

- SMS Results
- Licensing & insurance Carrier and other users: FMCSA provides the Company Safety Profile (CSP) to motor carriers and the general public interested in obtaining greater datall on a particular motor carrier's safety performance then what is captured in the Company Snapshot. To obtain a CSP please visit the <u>CSP order page</u> or call (800)832-5680 or (703)280-4001 (Fee Required).

For help on the explanation of individual data fields, click on any field name or for help of a general nature go to SAFER General Help.

The information below reflects the content of the FMCSA management information systems as of 12/14/2016.

| CARRIER                             |  |  |             |  |
|-------------------------------------|--|--|-------------|--|
| ACTIVE                              |  | Out of Ser   | rylce Date: | None   |
| CHERYL BALL                         |  |  |             |  |
| AGME MOVING LABO                    | R  |  |             |  |
| 439 1ST AVE NORTH<br>KENT, WA 98032 |  |  |             | - 8  |
| (252) 653-8635                      |  |  |             |  |
| 839 1ST AVE NORTH<br>KENT, WA 98832 |  |  |             |  |
| 2154291                             |  | State Carrier II   | D Number:   | ,  |
|                                     |  | DUN  | S Number:   | -  |
| 1                                   |  |  | Drivers:    | 1  |
| 11/16/2015                          |  | MCS-150 Miles  | ige (Year): | 1 (2014)   |
|                                     |  |  |             |  |
|                                     | Fed. Gov1  |  | ingian :    | ANTION   |
| ate                                 | Intrastate Or  | nly (HM)   | x Intrast   | ate Only (Non-HM)  |
|                                     |  |  |             |  |
| 3.70000                             |  |  | 1000000     | micals   |
| x Household Goods                   |  |  |             | modities Dry Bulk  |
| Metal: sheets, coils, rolls         |  |  |             | gerated Food   |
| Motor Vehicles                      |  |  |             | rages  |
| Drive/Tow away                      |  | Livestock  |             | er Products  |
|                                     |  |  |             |  |
| , Beams, Lumber                     | Grain, Feed, H   | tay  | Unite       | Control of the contro |
| s, Beams, Lumber<br>derials         | Coal/Coke  | tay  | Agric       | outural/Farm Supplies  |
| , Beams, Lumber                     | THE RESERVE OF THE PARTY OF THE |  | Agric       | Contract to the second second  |
|                                     | ACTIVE CHERYL BALL AGREE MOVING LABG BIS 15T AVE NORTH KENT, WA 18032 (282) 453-8635 BIS 15T AVE NORTH KENT, WA 99322 2154291 1 1117612015 For Hire he(Property) Pass. (Business) atte Goods ts, coils, rolls des  | ACTIVE CHERYL BALL ACRE MOVING LABOR 839-15T AVE NORTH KENT, WA 98932 (182) 653-8618 829-15T AVE NORTH KENT, WA 98932 2354291 1 11116(2915  FOR Hire Price P | ACTIVE      | ACTIVE   |

## ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety Rating

US Inspection results for 24 months prior to: 12/14/2016

Total Inspections: 0 Total IEP Inspections: 0

Note: Total inspections may be less than the sum of vehicle, driver, and hazmat inspections. Go to Inspections Help for further information.

|                                |         | inspections; |        |     |
|--------------------------------|---------|--------------|--------|-----|
| Inspection Type                | Vehicle | Driver       | Hazmat | IEP |
| Inspections                    | 0       | 0            | 0      | 0   |
| Out of Service                 | 0       | 0            | 0      | . 0 |
| Out of Service %               | 0%      | 8%           | 9%     | 0%  |
| Nat1 Average %<br>(2009- 2010) | 20.72%  | 5.51%        | 4,50%  | N/A |

#### Crashes reported to FMCSA by states for 24 months prior to: 12/14/2016

Note: Crashes listed represent a motor carrier's involvement in reportable crashes, without any determination as to responsibility.

|         |       | Crashes: |     |       |
|---------|-------|----------|-----|-------|
| Туре    | Fatal | Injury   | Tow | Total |
| Grashes |       | 0        | 0   | 0     |

#### ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety Rating

Canadian Inspection results for 24 months prior to: 12/14/2016

#### Total inspections: 0

Note: Total inspections may be less than the sum of vehicle and driver inspections. Go to Inspections Help for further information.

|                  | napections. |        |
|------------------|-------------|--------|
| Inspection Type  | Vehicle     | Driver |
| Inspections      | 0           | 0      |
| Out of Service   | 0           | 8      |
| Out of Service % | 0%          | 0%     |

#### Crashes results for 24 months prior to: 12/14/2016

Note: Crashes listed represent a motor carrier's involvement in reportable crashes, without any determination as to responsibility.

|         |       | Crashes: | 5 5 |       |
|---------|-------|----------|-----|-------|
| Type    | Fatal | Injury   | Taw | Total |
| Crashes | - 1   |          | 0   |       |

# ID/Operations | Inspections/Crashes In US | Inspections/Crashes In Canada | Safety Rating

The Federal safety rating does not necessarily reflect the safety of the carrier when operating in intrastate commerce.

#### Carrier Safety Rating:

#### The rating below is current as of: 12/14/2016

#### Review Information:

| Rating Date: | None | Review Date: | None |  |
|--------------|------|--------------|------|--|
| Rating:      | None | Type:        | None |  |

SAFER Home | Feedback | Privacy Policy | USA.gov | Freedom of Information Act (FOIA) | Accessibility | OIG Hotine | Web Policies and Important Links | Plug-ins

Federal Motor Carrier Bafety Administration
1200 New Jersey Avenue SE, Washington, DC 20590 + 1-600-632-5660 + TTY: 1-600-677-6339 + Field Office Contacts