

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

<p>In the Matter of the Petition of</p> <p>Miracle Man Movers, LLC</p> <p>For Exemption From Provisions of WAC 480-15-302(11); For a Permit to Operate as a Household Goods Carrier</p>	<p>DOCKET TV-240452</p> <p>ORDER 01</p> <p>GRANTING PETITION FOR EXEMPTION; GRANTING APPLICATION FOR HOUSEHOLD GOODS PERMIT</p>
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BACKGROUND

1 On December 11, 2023, the Washington Utilities and Transportation Commission (Commission) cancelled the household goods permit held by Miracle Man Movers, LLC (Miracle Man or Company) for failure to maintain cargo insurance filing as required by WAC 480-15-550.

2 On June 12, 2024, Miracle Man contacted the Commission to inquire how to reinstate their household goods permit, THG068778. The Company had since obtained cargo insurance, of which the filings have been received by the Commission.

3 Commission Staff (Staff) informed Miracle Man that because the Company had failed to contest the cancellation or seek permit reinstatement within 30 days, the Company was prohibited by the terms of WAC 480-15-302(11) from reapplying for operating authority for 12 months from the date its permit was cancelled.

4 On June 14, 2024, the Company filed an Application for Reinstatement (Application) and a Petition for Exemption from WAC 480-15-302(11) (Petition) with the Commission. In accordance with RCW 81.80.075(2), applications must be on file with the Commission for at least 30 days before issuance.

5 Miracle Man explains in its Petition that due to a misunderstanding with the insurance company, the annual renewal process and filing took longer than expected. Additionally, the Company had been unaware that its permit was cancelled until after 30 days had elapsed because Miracle Man had changed mailing addresses and subsequently did not receive the cancellation notice that had been mailed to them on December 11, 2023.

Furthermore, the Company admitted they had failed to regularly check their email, to which notices had also been sent.

6 The Commission issued the original provisional household goods permit on June 6, 2019. The Company has previously received penalties in TV-210129 and TV-220511, but in both cases had approved safety management plans and payment arrangements. Staff has no knowledge of any consumer protection complaints against the Company. Miracle Man is also complete on annual reports and paid all outstanding fees and interest.

7 Miracle Man's Application is considered a new application as required by WAC 480-15-450(4)(b). The Company submitted an application in compliance with WAC 480-15-302. Upon approval of the Application, the Commission will issue a reinstated temporary household goods permit. Staff does not have any concerns about the Company's fitness to operate and supports the Company's request to reinstate its household goods permit.

DISCUSSION

8 We grant the Company's request for an exemption from WAC 480-15-302(11), and thus grant the Application, for the reasons discussed below.

9 WAC 480-07-110 provides that the Commission "in response to a request or on its own initiative, may grant an exemption from, or modify the application of, any of its rules in individual circumstances if the exemption or modification is consistent with the public interest, the purposes underlying regulation, and applicable statutes."

10 Under WAC 480-07-110(2)(c), the Commission applies the public interest standard to determine whether to grant a requested exemption. Factors we may consider include whether the rule imposes an undue hardship on the requesting person of a degree or a kind different from hardships imposed on other similarly situated persons, and whether the effect of applying the rule to the requesting person would be contrary to the underlying purposes of the rule and the public interest.

11 We find that it would be contrary to the public interest to deny the Exemption, and therefore the Application, when the owner is fully capable of operating a permitted household goods company. The rules in WAC 480-15-302(11) are designed to determine a company's fitness to operate as a household goods carrier. Healthy small businesses are essential to the overall strength of the state's economy. Staff has stated it has no concerns with the Company's fitness to operate and recommends approving the Application. Penalizing a small business which has corrected the cause of its permit cancellation

would be contrary to the stated public goal of creating “sound economic conditions” for household goods carriers. Therefore, granting the exemption does not run contrary to the underlying purposes of the rule or the public interest.

12 For the reasons explained above, the Commission finds that granting the Permit is consistent with the purposes underlying regulation, applicable statutes, and the public interest. Accordingly, we conclude that the exemption should be granted, and that the Company’s Application should be approved 30 days from the application filing date in accordance with RCW 81.80.075(2).

FINDINGS AND CONCLUSIONS

13 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property, and affiliated interest transactions of public service companies, including household goods companies.

14 (2) On December 11, 2023, the Commission cancelled the temporary household goods carrier permit held by Miracle Man for failure to maintain cargo insurance filings as required by WAC 480-15-550.

15 (3) The Company did not contest the cancellation or seek reinstatement of its permit within 30 days, as required by WAC 480-15-450(4). On June 14, 2024, Miracle Man filed with the Commission a petition for exemption from WAC 480-15-302(11) and an Application for the reinstatement of its household goods carrier permit, approximately six months after the 30-day deadline.

16 (4) Staff supports the Company’s request for exemption and recommends the Company’s permit be reinstated.

17 (5) WAC 480-07-110 provides that the Commission “in response to a request or on its own initiative, may grant an exemption from, or modify the application of, any of its rules in individual circumstances if the exemption or modification is consistent with the public interest, the purposes underlying regulation, and applicable statutes.”

18 (6) Granting the Petition for exemption from WAC 480-15-302(11) is consistent with the public interest, the purposes underlying regulation, and applicable statutes.

- 19 (7) Staff has no concerns with the Company's fitness to operate.
- 20 (8) This matter came before the Commission at its regularly scheduled meeting on
June 27, 2024.
- 21 (9) Granting the Company's petition for exemption from WAC 480-15-302(11) is
consistent with the public interest, the purposes underlying regulation, and
applicable statutes.

ORDER

THE COMMISSION ORDERS:

- 22 (1) Miracle Man Moving, LLC's Petition for exemption from WAC 480-15-302(11)
is granted.
- 23 (2) Miracle Man Moving, LLC's Application for authority to operate as a household
goods carrier is granted, effective July 15, 2024, per RCW 81.80.075(2).
- 24 (3) The Commissioners, having determined this Order to be consistent with the public
interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective June 27, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFF KILLUP
Executive Director and Secretary