

VIA FAX

Date Received: November 29, 1999

Docket No.: TV-991559

Company: Review of Rules Relating to Household Goods Carriers

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# SHURGARD

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Seattle, Washington 98109-4426  
Phone 206 624 8100  
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November 29, 1999

Ms. Carole J. Washburn  
Executive Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250

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STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

Re: Written Comments on Docket No. TV-991559, Motor Carriers of Household Goods

Dear Ms. Washburn:

Thank you for notifying Shurgard Storage To Go and its representatives of the above rulemaking and for the opportunity to become an active participant in this current rulemaking review. For its part, Shurgard Storage To Go (hereinafter "SSTG") questions any need to redefine or otherwise amend the current definition of household goods at WAC 480-15-020. While SSTG believes that some traditional household goods carriers have speculated and/or opined that they will lose business because of the definitional exemption, SSTG knows of no reason why the existing exclusion should be removed from the pertinent regulation.

One of the Commission's strongest missions in the current regulatory atmosphere is to afford additional consumer choice and to lessen the regulatory burden on both providers and customers alike. Unless there is a compelling need in the interest of consumer protection to bring the innovative type of services offered by SSTG and its competitors under traditional household goods regulation, there should be no reason to make any plenary change to the existing regulations.

The customer files maintained by SSTG contain numerous endorsements and testimonials regarding the type of service SSTG offers, and we know of no complaints filed by our customers against our service with the Washington Utilities and Transportation Commission. Additionally, we previously pointed out to the Commission in our comments in TV-971477 the existing body of federal law which has addressed the exemption of containerized storage service from traditional household goods regulation and argued that exempting containerized storage would harmonize Washington and federal law treatment of this industry.

A 1985 decision of the Interstate Commerce Commission clearly reiterated that decisional line by stating:

Ms. Carole J. Washburn  
November 29, 1999  
Page 2

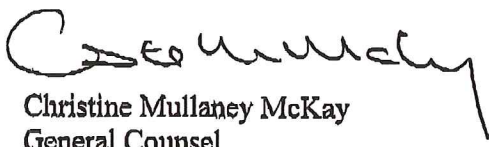
. . . the transportation of goods in containers, should applicant be called upon to provide such service, does not require a special grant of household goods authority and may be undertaken pursuant to a grant of authority to transport 'general commodities [except household goods].' The mere transportation of containerized household goods, without the provision of a specialized service or equipment normally required for such commodities is **not within the definition of household goods transportation.**

American Redball Transit Co., Inc. v. McLean Trucking, 67 MCC 305, 314-315 (1956). 1985 MCC LEXIS 630 at 5.

SSTG believes there is simply no legal or factual support under Washington or federal law for reversal of the current definition of household goods. Indeed, SSTG and its competitors' success in the marketplace, bolstered by a strong consumer protection record, all militate against such a change in the Commission's fundamental definitional rules and intrastate supervision of the household goods industry.

SSTG will appear at the stakeholders meeting by counsel and looks forward to actively participating in this docket and in ultimately affirming the current definition of household goods as excluding customer-packed and sealed self-storage containers.

Yours truly,  
Shurgard Storage To Go, Inc.

  
Christine Mullaney McKay  
General Counsel

cc: David W. Wiley

November 29, 1999

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Executive Secretary  
Washington Utilities and Transportation Commission  
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Olympia, WA 98504-7250

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99 NOV 30 AM 10:40  
STATE OF WASH.  
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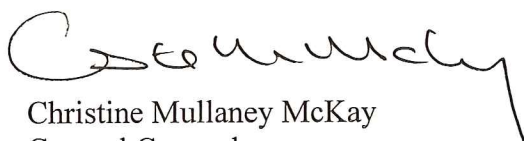
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