

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of

CAMERON BREWER d/b/a
RELIANCE MOVING.

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

DOCKET TV-180213

NOTICE OF INTENT TO DENY
APPLICATION FOR PERMANENT
AUTHORITY

NOTICE OF OPPORTUNITY FOR
HEARING

BACKGROUND

- 1 On March 9, 2018, Cameron Brewer d/b/a Reliance Moving (Cameron Brewer 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). Mr. Brewer signed the Application and included with it a business license number, USDOT number, registration with the Department of Labor and Industries, registration with the Employment Security Department, and an insurance filing.
- 2 RCW 81.80.075(3) requires the Commission to consider (1) 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 (2) whether the Applicant's operations are consistent with the public interest.
- 3 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.
- 4 The Commission will not grant provisional or 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.¹

¹ WAC 480-15-302(8)(a), -305(2).

5 If it is necessary to resolve outstanding issues or concerns related to the Applicant's fitness, whether the Applicant's operations would be consistent with 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.²

6 Commission Staff (Staff) has reviewed the Application and recommends that the Commission deny the Application for reasons set out below.

FACTUAL ALLEGATIONS

7 On March 9, 2017, Staff generated a "LexisNexis" comprehensive background check report for Mr. Cameron Brewer. This report listed twelve criminal offences that took place in Riverside County, California, but did not list the specific crimes. It did list the case numbers of the particular crimes.

8 Staff also attempted to generate a Washington Access to Criminal History (WATCH) report issued by the Washington State Patrol Identification and Criminal History Section for Mr. Brewer. The WATCH Report, which was run on March 9, 2018, did not indicate that Mr. Brewer has been convicted of any crimes in Washington State.

9 Staff searched the Riverside County Superior Court public access case search website for the case numbers that were obtained from the LexusNexis background check report. Staff learned from this search that on August 1, 2017, Mr. Brewer pled guilty to Petty Theft.³

10 The Application signed by Mr. Brewer did not initially list the California petty theft conviction despite a question that required its disclosure. After discovering Mr. Brewer's criminal history, Staff contacted him to ask about the omission; Mr. Brewer explained that he had forgotten the conviction. Based on that representation, Staff allowed Mr. Brewer to amend his application to list the conviction.

11 Under WAC 480-15-302(8)(a) and WAC 480-15-305(2), the Commission will not grant an application for operating authority 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 within the last five years prior to the date of the application.

² WAC 480-15-350.

³ CAL. PENAL CODE § 488 (2017) ("Theft in all other cases is petty theft."); *see also* CAL. PENAL CODE § 486 (dividing theft-related crimes into two degrees: grand theft and petty theft).

- 12 Staff recommends that the Commission deny the Application of Cameron Brewer because Mr. Brewer pled guilty to Petty Theft within the last five years prior to the date of the application.

DISCUSSION

- 13 Based on the information Staff presented, the Commission agrees with Staff's recommendation and intends to deny the Application. The information Staff has discovered indicates that Mr. Brewer's criminal conviction renders the Applicant unfit to operate as a household goods moving company.
- 14 Staff's findings support the conclusion that the Applicant has failed to meet the requirements of WAC 480-15-302(8), WAC 480-15-302(13), and WAC 480-15-305(2), and that the Commission should deny the Application.

NOTICE

- 15 The Commission hereby provides notice of its intention to deny Mr. Brewer's Application for permanent authority for failure to meet the application requirements in RCW 81.80 and WAC 480-15.
- 16 **NOTICE OF OPPORTUNITY FOR HEARING.** Mr. Brewer may request a hearing to contest the factual allegations set out in this notice. Mr. Brewer may request such a hearing by filing a written request for a hearing with the Commission by **April 9, 2018**. 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-180213.
- 17 If Mr. Brewer requests a hearing by **April 9, 2018**, the Commission will schedule a brief adjudicative proceeding under RCW 34.05.482 and WAC 480-07-610. If Mr. Brewer does not request a hearing by that date, the Commission will enter an order rejecting the Application.

DATED at Olympia, Washington, and effective March 20, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING
Executive Director and Secretary