

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of  
  
JAKE THEIS D/B/A ROYAL MOVING  
  
For Compliance with WAC 480-15-555,  
WAC 480-15-560, and WAC 480-15-570.

DOCKET TV-210170  
  
NOTICE OF INTENT TO CANCEL  
  
NOTICE OF BRIEF ADJUDICATIVE  
PROCEEDING; SETTING TIME FOR  
ORAL STATEMENTS  
**(Set for May 11, 2021, at 9:30 a.m.)**

- 1 Pursuant to RCW 81.80.130, the Washington Utilities and Transportation Commission (Commission) regulates the safe operation of motor freight carriers, including household goods carriers.
- 2 Jake Theis d/b/a Royal Moving (Royal Moving or Company) engages in business as a household goods carrier under Commission-issued provisional permit number THG-067933.
- 3 Between February and March 2021, the Commission's staff (Staff) reviewed Royal Moving's compliance with the requirements of WAC 480-15-555, WAC 480-15-560, and WAC 480-15-570, which adopt, among other provisions, Title 49 of the Code of Federal Regulations (C.F.R.), Parts 390, 391, 395, and 396.
- 4 During its compliance investigation, Staff documented 30 critical violations of 49 C.F.R. § 395.8(a)(1) as well as violations of 49 C.F.R. § 391.45(a), 49 C.F.R. § 391.51(a) and 49 C.F.R. § 396.3(b) that would have constituted critical violations with a sufficient sample size. Staff also discovered a critical-type violation of WAC 480-15-555 and other non-critical violations.
- 5 On March 18, 2021, Staff completed its investigation and notified Royal Moving that the investigation produced a proposed conditional safety rating for the Company.
- 6 A carrier may request a change in its safety rating based on evidence that it has taken corrective actions to address the identified violations and that company operations currently meet the safety fitness standard specified in 49 C.F.R. § 385.5 and § 385.7.
- 7 The Commission will grant permanent operating authority to a carrier that successfully completes its provisional period. Doing so requires the carrier to, among other things, receive a satisfactory safety rating in a review conducted by Staff. WAC 480-15-305(1)(c). If a carrier fails to receive a satisfactory safety rating within 18 months of

obtaining its provisional permit, the Commission will cancel the carrier's provisional permit and dismiss the company's application for permanent authority unless the Commission finds good cause to extend the provisional period. WAC 480-15-305(3).

8 Under the circumstances presented in this case, the Commission determines that it will afford Royal Moving the same opportunity as companies that have received a proposed unsatisfactory rating to provide evidence, in the form of an approved safety management plan, showing that it has taken corrective action to address the identified violations. Royal Moving must come into compliance with applicable laws by obtaining a Commission approval of a safety management plan no later than May 17, 2021. If the Company fails to come into compliance by that date, the Commission will cancel its household goods carrier permit effective May 18, 2021. Thereafter, as an unregistered company, Royal Moving would be prohibited from providing household goods carrier service in the state of Washington.

9 **THE COMMISSION GIVES NOTICE That it intends to cancel the permit and authority of Royal Moving to provide services as a household goods carrier effective May 18, 2021, for cause, following a hearing on the factual allegations set out above, unless Royal Moving obtains Commission approval of a safety management plan prior to that date.**

10 Pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission schedules a hearing on its own initiative and determines that a brief adjudicative proceeding is appropriate to determine whether the Commission should cancel Royal Moving's household goods carrier permit.

11 **THE COMMISSION GIVES FURTHER NOTICE That it will hold a virtual brief adjudicative proceeding in this matter at 9:30 a.m., on May 11, 2021. To attend the hearing by telephone, please call (253) 372-2181 and enter the conference ID: 803 948 17#. To attend via Microsoft Teams, please use the following link: [Click here to join the meeting.](#)**

12 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.

13 Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide at its offices in Lacey, Washington, copies of documents in the current record for use by the parties or others who may want to review them.

14 **Royal Moving must submit its proposed safety management plan no later than 5 p.m. on April 27, 2021.** Parties wishing to submit any other documents for consideration at the

brief adjudicative proceeding must file with the Commission a list enumerating and describing any such documents **no later than 5 p.m. on May 4, 2021**, and bring an original and three (3) copies of those documents to the hearing. Filing shall be in accordance with WAC 480-07-140 and -145.

15 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

16 The names and mailing addresses of all parties and their known representatives are shown as follows:

Commission: Washington Utilities and  
Transportation Commission  
621 Woodland Square Loop SE  
Lacey, WA 98503

Representative: Jeff Roberson  
Assistant Attorney General  
621 Woodland Square SE  
Lacey, WA 98503  
(360) 664-1188  
[jeff.roberson@utc.wa.gov](mailto:jeff.roberson@utc.wa.gov)

Respondent: Jake Theis d/b/a Royal Moving  
23009 29th Ave. W  
Brier, WA 98036-8313  
[jaketheisroyals@gmail.com](mailto:jaketheisroyals@gmail.com)

17 Administrative Law Judge Samantha Doyle, from the Commission's Administrative Law Division, will preside during this proceeding.<sup>1</sup>

DATED at Olympia, Washington and effective April 2, 2021.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON  
Executive Director and Secretary

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<sup>1</sup> Judge Doyle may be reached by email at [samantha.doyle@utc.wa.gov](mailto:samantha.doyle@utc.wa.gov) or by phone at (360) 664-1164.

Inquiries may be addressed to:

Executive Director and Secretary  
Washington Utilities and Transportation Commission  
621 Woodland Square Loop S.E.  
Lacey, WA 98503  
(360) 664-1160

**NOTICE**

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out and return this form to:

Washington Utilities and Transportation Commission  
Attention: Mark L. Johnson  
P.O. Box 47250  
Olympia, WA 98504-7250

(PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket: \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired: (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Phone (\_\_\_\_\_) \_\_\_\_\_