

February 26, 2007

Carole J. Washburn, Secretary  
Washington Utilities and Transportation Commission  
1300 S. Evergreen Park Dr. SW  
P. O. Box 47250  
Olympia, Washington 98504-7250

Re: *WUTC v. Boots, Inc. d/b/a Brooks A & A Moving*  
Docket No. TV-060855

Dear Ms. Washburn:

This letter serves as a status report and request for guidance regarding the parties' compliance with the final order issued in the above-referenced docket on January 26, 2007.

The order, at paragraph 50, requires the following:

Brooks, in consultation with Commission Staff, must develop a procedure by which it will make the refunds required by this order. The procedure must include a method for auditing the accuracy of the refund procedure's results. The procedure must be agreed to with Staff, reflected in a written agreement between Boots and Staff and signed by the Executive Secretary within 30 days after the date of this Order.

Mr. Brooks has not contacted either staff or staff counsel. Furthermore, Mr. Brooks has not responded to telephone messages left by staff counsel or to the letter staff counsel sent February 9, 2007. A copy of this letter is attached.

As staff understands its obligations under the order, staff must be available to consult with Brooks A&A Moving (the "company") concerning the refund procedure and, in order to effectuate paragraph 50 of the order, must take an active role in developing a method for auditing the accuracy of the refund procedure's results. Staff understands that the obligations of the company under the order require it to consult with staff, procure staff's agreement on a refund procedure, and take responsibility for producing a written agreement that documents the procedure. Once the two parties have agreed on a procedure, staff understands that the parties

must obtain the Executive Secretary's approval by the deadline set out in the order, which is today. Following such approval, staff understands that it is the company's responsibility to send out the refunds (see paragraph 49) and staff's responsibility to verify the results of the refund process.

Based on staff's understanding of the final order, staff must have the company's cooperation in order to meaningfully comply with the order. Because the company refuses to communicate with staff counsel, staff seeks guidance from the commission concerning staff's obligations under the order.

Sincerely,

JENNIFER CAMERON-RULKOWSKI  
Assistant Attorney General

JCR:emd  
Enclosure  
cc: Parties