



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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October 28, 2019

Mark L. Johnson
Washington Utilities and Transportation Commission
621 Woodland Square Loop S.E.
Lacey, WA 98503

RE: *Washington Utilities and Transportation Commission v. Iron Man Movers and Storage, Inc.*
Docket TV-170205

Dear Mr. Johnson:

On July 11, 2017, the Utilities and Transportation Commission issued Order 01 in Docket TV-170205, which assessed a \$21,100 penalty against Iron Man Movers and Storage Inc. for violations of Commission rules and Tariff 15-C. The Commission suspended a \$10,600 portion of the penalty for two years, with conditions. The conditions, results of follow-up investigation, and Staff's responses are as follows:

- a) Within 60 days of the effective date of this Order, Iron Man must submit to Staff for review and approval a comprehensive compliance plan that addresses each of the violations cited in Staff's investigation report and the Penalty Assessment. The compliance plan must describe the steps Iron Man has taken to correct the violations and the controls it has put in place to prevent the violations from reoccurring.

Staff response: Iron Man submitted a compliance plan on Sept. 1, 2017, meeting the requirements of the Order.

- b) Within one year of the effective date of this Order, Iron Man owners and all of its employees must attend Commission-sponsored Household Goods Training.

Staff response: Iron Man Movers and Storage, Inc.'s employees attended training on Feb. 15, 2019, meeting the requirements of the Order.

- c) At the end of two years from the effective date to this Order, Commission Staff will conduct a follow-up review to determine whether Iron Man has achieved compliance with Commission rules and Tariff 15-C and will submit to the Commission its recommendation about whether to impose or waive the suspended penalty. This condition in no way limits Staff's ability to investigate Iron Man for any other purpose or to pursue other enforcement action.

Staff response: Staff conducted a follow up investigation and reviewed Iron Man's move documents for the period of April 1, 2019, through Aug. 31, 2019. A review of 42 individual moves showed both repeat and new violations; however, Iron Man made significant improvements.

- d) Within 30 days of the effective date of this Order, Iron Man Movers and Storage, Inc. must either pay the \$10,500 portion of the penalty that is not suspended or file jointly with Staff a mutually agreeable payment arrangement for Commission approval.

Staff response: Iron Man Movers and Storage Inc. completed their payment arrangement on June 6, 2019, meeting the requirements of the Order.

Staff Recommendation

Staff recommends the \$10,600 suspended penalty issued against Iron Man Movers and Storage, Inc. be waived and the docket closed.

While staff found violations of Commission rules and Tariff 15-C during a review of recent move documents, the company did make significant improvements. Staff believes imposing the suspended penalty of \$10,600 would be overly burdensome.

However, given the company's history of non-compliance, staff plans to move forward with a recommendation for penalties in a separate proceeding for violations identified during the 2019 review.

If you have any questions, please contact Justin Spruiell, Compliance Investigator, Consumer Protection, at (360) 664-1320, or email Justin.Spruiell@utc.wa.gov.

Sincerely,

Bridgit Feeser
Assistant Director, Consumer Protection