



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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November 6, 2019

RE: *In the Matter of the Penalty Assessment against Iron Man Movers and Storage, Inc.,*
Docket TV-TV-170205

TO ALL PARTIES:

On February 21, 2017, the Washington Utilities and Transportation Commission (Commission) assessed a penalty of \$15,900 against Iron Man Movers and Storage, Inc., (Iron Man Movers or Company) for 211 violations of WAC 480-15 and Tariff 15-C, which govern the operations of household goods moving companies.

On July 12, 2017, the Commission entered Order 01, Order Denying Mitigation; Imposing and Suspending Penalties Subject to Conditions (Order 01). Order 01 assessed a 21,100 penalty against Iron Man Movers for 211 violations of WAC 480-15 and Tariff 15-C, a \$10,600 portion of which was suspended for two years subject to the following conditions: (1) Iron Man Movers must submit a comprehensive compliance plan within 60 days of the effective date of Order 01, (2) Company owners and employees must attend Commission-sponsored Household Goods Training within one year of the effective date of Order 01, (3) Staff will conduct a follow-up review two years from the effective date of Order 01 to determine if Iron Man Movers has achieved compliance and submit a recommendation to the Commission, and (4) Iron Man Movers must pay the \$10,500 portion of the penalty that was not suspended or file jointly with Staff a mutually agreeable payment arrangement for Commission approval within 10 days of the effective date of Order 01.

On October 5, 2017, the Commission entered Order 02, Granting Payment Arrangement (Order 02), allowing Iron Man Movers to pay the portion of the penalty that was not suspended in 21 monthly payments, concluding in June 2019.

On October 28, 2019, Commission staff (Staff) filed a letter in this docket informing the Commission that Iron Man Movers has met most of the conditions of Order 01. In its letter, Staff states that Iron Man Movers submitted a timely, acceptable compliance plan, attended

household goods training as directed, and has fulfilled the payment plan established by Order 02. Upon re-inspection, however, Staff discovered both repeat and new violations of Commission rules. Staff nevertheless recommends that the Commission waive the suspended portion of the penalty because Iron Man Movers has made significant improvements to its operations, and because imposing the penalty would be overly burdensome. Staff states in its letter that it will pursue penalties for the new and repeat violations in a separate docket.

The Commission agrees with Staff that imposing the suspended portion of the penalty would be unduly punitive in light of the small number of violations and the nature of those violations. Pursuing new penalties will serve to hold the Company accountable without imposing disproportionate consequences for its actions. In light of these factors, as well as the Company's significantly improved compliance, the Commission exercises its discretion to waive the suspended penalty and close this docket.

MARK L. JOHNSON
Executive Director and Secretary