

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	)	DOCKET TV-080483
	)	
WASHINGTON MOVERS	)	
CONFERENCE OF THE	)	
WASHINGTON TRUCKING	)	NOTICE OF PREHEARING
ASSOCIATION	)	CONFERENCE
	)	<b>(Set for May 2, 2008,</b>
To Reinstate the Fuel Surcharge Tariff	)	<b>at 9:30 a.m.)</b>
	)	
.....	)	

- 1 Washington Movers Conference of the Washington Trucking Associations (WMC) on March 14, 2008, filed with the Washington Utilities and Transportation Commission (Commission) a petition to reinstate the household goods fuel surcharge tariff. WMC states its petition is based upon the sudden and continuing rapid escalation cost of diesel fuel.
- 2 The Commission relaxed economic regulation of the household goods industry in 2000. Entry was opened by implementing a permit system focused on compliance with Commission operating requirements, consumer protection, and safety and insurance, instead of the far more restrictive “public convenience and necessity” standards then in effect. Rate regulation was relaxed by establishing a band of maximum rates and charges (20 percent greater than rates then in effect) and minimum rates and charges (40 percent less than the maximum rates and charges).
- 3 The Commission sets rates and charges for the transportation of household goods statewide. RCW 81.80.150 requires the Commission to publish the tariff for the transportation of household goods.
- 4 WAC 480-15-490 (2)(b)(ii) required the Commission to adjust the maximum rates and charges each June 1, through 2005, using the first quarter Implicit Price Deflator (IPD) of the Gross Domestic Product. The last rate increase became effective June 1, 2005.
- 5 On August 17, 2007, the Commission approved a petition by the WMC to increase the maximum rates and charges contained in the current tariff by 25 percent, and cancel the two existing fuel surcharges, allowing carriers additional margin to absorb short term changes in operating costs, such as fuel. The WMC’s present request would reinstate the fuel surcharge method in effect prior to August 17, 2007.

6 The Commission set the WMC's petition to reinstate the fuel surcharge methodology for hearing at its March 27, 2008, open meeting, finding the carriers had provided no basis for reinstating the prior fuel surcharge methodology or financial data that would establish a basis for increasing the maximum rate band.

7 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter and legal authority to regulate household goods carriers under RCW Title 81. The statutes that apply to this matter include RCW 80.01, RCW 81.04, relating to rates, including but not limited to RCW 81.04.130, and RCW 81.04.250, and RCW 81.80.

8 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

9 **THE COMMISSION GIVES NOTICE That the Commission will hold a prehearing conference in this matter at 9:30 a.m. on May 2, 2008, in Room 108 of the Commission's headquarters, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

10 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for discovery and distributing evidence, to identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

11 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See WAC 480-07-355(a)*. The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See WAC 480-07-345(2)*. If any party or witness needs an interpreter or other assistance, they should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

12 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440. The Commission specifically invokes the sanction provisions of WAC 480-07-450 which allow the Commission to seek penalties for a party in default.**

- 13 The names and mailing addresses of all known parties and their known representatives are as follows:

Petitioner: Washington Movers Conference  
James R. Tutton, Jr., Executive Director  
930 South 356<sup>th</sup> Street, Suite B  
Federal Way, WA 98003-6384  
(253) 838-1650  
[www.wcmovers.com](http://www.wcmovers.com)

Commission: Washington Utilities and Transportation  
Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250

Representative: Sally Brown  
Senior Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1193  
[sbrown@utc.wa.gov](mailto:sbrown@utc.wa.gov)

- 14 Administrative Law Judge Dennis J. Moss, from the Commission's Administrative Law Division, will preside during this proceeding.

- 15 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective April 17, 2008.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN  
Executive Secretary

Inquiries may be addressed to:

Executive Secretary  
Washington State Utilities and  
Transportation Commission  
Richard Hemstad Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

- or - Public Counsel Section  
Office of the Attorney General  
800 Fifth Avenue, Suite 2000  
Seattle, WA 98104-3188  
(206) 464-7744

**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 this form and return it to Washington State Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, 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 No.: (\_\_\_\_) \_\_\_\_\_