

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of	)	DOCKET TV-120766
	)	
ORACLE MARKETING, INC. d/b/a	)	
GREAT AMERICAN MOVING &	)	NOTICE OF INTENT TO DENY
STORAGE	)	APPLICATION FOR PERMANENT
	)	AUTHORITY;
for a permit to operate as a motor	)	
carrier of household goods.	)	NOTICE OF OPPORTUNITY FOR
	)	HEARING
.....	)	

**I. INTRODUCTION**

- 1 **Nature of Proceeding.** The Washington Utilities and Transportation Commission (Commission) hereby provides notice of its intention to deny Oracle Marketing, Inc. d/b/a Great American Moving & Storage’s (Oracle Marketing or Applicant) application for permanent authority for failure to meet the application requirements in RCW 81.80 and WAC 480-15.
  
- 2 **Procedural Background.** On May 24, 2012, Oracle Marketing filed with the Commission an application requesting authority to operate as a household goods carrier in the state of Washington under RCW 81.80 and WAC 480-15. Chana Green, the company’s president, signed the application.
  
- 3 Commission Staff has reviewed the application, as well as compliance reports and information received from other state and federal agencies, including an order issued by the California Public Utilities Commission (CPUC) revoking the Applicant’s operating authority in that state. Commission Staff has recommended that the Commission deny the Applicant’s permit, for reasons set out below.

## II. APPLICABLE LAW

4 RCW 81.80.070(1)(a)(ii) requires the Commission to consider whether an applicant for a household goods carrier permit is fit to perform the services proposed and conform to the requirements, rules and regulations of the Commission, and whether the operations are consistent with the public interest.

5 The Commission will grant or deny an application for permanent authority after it conducts a complete review of the application, including supporting statements, reports or other information necessary to determine fitness, public interest, and current or future public convenience and necessity.<sup>1</sup>

6 The Commission rules provide that the Commission may reject or deny an application for permanent authority if the Commission believes the applicant is unfit, or if issuing the permit is not in the public interest. WAC 480-15-330 sets out specific factors the Commission may consider, which include:

- The application indicates evidence of fraud, misrepresentation or erroneous information;<sup>2</sup>
- Other circumstances exist that cause the Commission to believe issuing the permit is not in the public interest.<sup>3</sup>

7 If it is necessary to resolve outstanding issues or concerns related to fitness or the public interest, or any other issue resulting from a complaint or public comment, the Commission may hold a hearing or brief adjudicative proceeding on any application for permanent authority.<sup>4</sup>

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<sup>1</sup> WAC 480-15-330(2).

<sup>2</sup> WAC 480-15-330(4)(b).

<sup>3</sup> WAC 480-15-330(4)(g).

<sup>4</sup> WAC 480-15-350.

### III. FACTUAL ALLEGATIONS

- 8 Commission Staff makes the following factual allegations based on its review and investigation of the application.
- 9 This is the third household goods carrier permit application that the Applicant, Chana Green, has filed with the Commission. On May 28, 2010, Ms. Green submitted a household goods permit application for C.E.G. Marketing d/b/a Olympic Van Lines, as its president. On September 3, 2010, the Commission dismissed the company's application following the company's request that the application be withdrawn in Docket TV-100955.
- 10 In March 2011, Commission Staff received information that Olympic Van Lines was operating unlawfully within the state of Washington without a permit. After Commission Staff contacted the company, Ms. Green submitted a second application for C.E.G. Marketing d/b/a Olympic Van Lines on May 2, 2011. On August 31, 2011, Ms. Green amended the company's application to change the company's name to "Oracle Marketing d/b/a Infinity Relocation." The Commission ultimately dismissed the second application on September 1, 2011, for failure to meet application requirements, in Docket TV-110805. The Uniform Business Identifier (UBI) number and DOT number listed on the application in the current docket match those on the applications that were withdrawn and dismissed.
- 11 During the course of its 2011 investigation of the application in Docket TV-110805, Commission Staff learned that the company, doing business as Mayflower Moving & Storage, was the target of a sting led by a special task force made up of federal, state, and local government agencies in the state of California, which shut down the company's operations in California and arrested several of its employees.
- 12 Staff also received information regarding four complaints from Washington consumers that hired Olympic Van Lines to perform interstate moves, each of which alleged that the company demanded additional payments of between \$1,800 and \$4,000 before it would agree to release the customer's goods.

- 13 In addition, the Washington Better Business Bureau (BBB) has records of 15 consumer complaints filed against Olympic Van Lines in the last year. Information on BBB's website states that the "BBB has received a pattern of complaints from consumers alleging this company originally offers a low quote, then substantially increases the cost once the move is in progress and consumers are unable to cancel services. Complaints further allege consumers' household goods are not delivered within the agreed-upon time frame, and when the goods do arrive, the belongings are damaged and items are missing."
- 14 Ms. Green was a named officer and the designated qualifier for the California corporation City Transport, Inc. d/b/a Mayflower Moving & Storage (City Transport). In July 2010, following an investigation by the California Public Utilities Commission (CPUC) into City Transport's business practices, the CPUC penalized City Transport \$10,000 for violations of California laws and rules related to household goods carriers. The CPUC also ordered City Transport to refund affected customers more than \$19,000. On November 20, 2010, City Transport's household goods permit was revoked for noncompliance with the CPUC's citation and order, specifically for its failure to pay the ordered penalty and refund affected customers.
- 15 Ms. Green failed to disclose the legal actions by the CPUC against her company on the Commission's household goods permit application filed in this docket. The application asks: "Do you have, or have you ever had a business-related legal proceeding against you in Washington, or in any other state?" Ms. Green answered "No" on the application, which is a factual misrepresentation.
- 16 The Federal Motor Carrier Safety Administration's (FMSCA) website documents 13 consumer complaints against City Transport between 2009 and 2011. Seven of the complaints alleged that the company held the customer's goods hostage. FMSCA's website also shows records for 18 complaints against Oracle Marketing Inc., DOT Number 2029028 (the same DOT number on Oracle Marketing's application with the Commission) between 2010 and 2012. Six of those complaints alleged that Oracle Marketing, Inc. held the customer's goods hostage.
- 17 These allegations, if not satisfactorily rebutted, support factual findings that the application contains a significant misrepresentation, and that Ms. Green and her companies have a history of noncompliance and harmful business practices in both

Washington and California. Such factual findings, in turn, support the conclusion that issuing the permit is not in the public interest, and the application should be denied.

- 18 **NOTICE OF OPPORTUNITY FOR HEARING.** Oracle Marketing, Inc. d/b/a Great American Moving & Storage, may request a hearing to contest the factual allegations set out in this notice. Oracle Marketing may request such a hearing by filing a written request for a hearing with the Commission by **August 1, 2012**. An original and five (5) paper copies of the request must be directed to the attention of David W. Danner, Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, and must reference Docket TV-120766.
- 19 If Oracle Marketing requests a hearing by **August 1, 2012**, the Commission will schedule a brief adjudicative proceeding under RCW 34.05.482 and WAC 480-07-610. If Oracle Marketing does not request a hearing by that date, the Commission will enter an order rejecting the application for permanent authority.

DATED at Olympia, Washington, and effective July 19, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER  
Executive Director and Secretary