



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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June 15, 2015

Steven V. King, Executive Director and Secretary
Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. CrateAway, LLC*

Commission Staff's Response to Request for Hearing TV-150899

Dear Mr. King:

On May 27, 2015, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket TV-150899 against CrateAway, LLC for 10 violations of Washington Administrative Code (WAC 480-15-480), which requires household goods carriers companies to furnish annual reports to the commission no later than May 1 each year.

On June 4, 2015, CrateAway, LLC wrote the commission requesting a hearing disputing the violation occurred. In its hearing request, the company provided information about the type of services being provided which per WAC 480-15-181 do not require a household goods permit. The company states, "We hope you find this information sufficient and remove the fine we were issued".

It is the company's responsibility to ensure that the regulatory fee is paid and the annual report is filed by the May 1 deadline. On February 27, 2015, Annual Report packets were mailed to all regulated household goods carriers companies. The instructions for annual report completion page of the annual report informed the regulated company that it must complete the annual report form, pay the regulatory fees, and return the materials by May 1, 2015, to avoid enforcement action.

CrateAway, LLC was granted temporary authority to operate as a household goods carrier on November 19, 2014. The company attended the commission's household goods carrier training on March 18, 2015, at which, the annual report requirement was reviewed as well as the process for canceling a permit. Company representative, Linh Ngo signed the training document acknowledging training was received.

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As of June 12, 2015, CrateAway, LLC has not filed a 2014 annual report or paid any regulatory fees which may be owed. Commission staff is unable to determine if the company performed any regulated household goods moves without this document.

Staff does not support the company's request for hearing as the argument provided by CrateAway, LLC appears to be they are not required to hold a household goods permit under WAC 480-15-181 rather than the requirement to file an annual report by a regulated household goods carrier company under WAC 480-15-480. Additionally, the company received training prior to the May 1 annual report filing deadline for canceling their operating authority or filing the annual report document.

Staff would be amenable to mitigating the penalty to \$25 per day for a total penalty assessment of \$250, subject to the filing of the annual report, as this is the company's first delinquent filing. Staff would also be amenable to waive the penalty if CrateAway, LLC files for voluntary cancelation and submits the 2014 annual report and pays any regulatory fees owed.

If you have any questions regarding this recommendation, please contact Amy Andrews, Regulatory Analyst, at (360) 664-1157, or aandrews@utc.wa.gov.

Sincerely,



Sondra Walsh, Director
Administrative Services