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STATE OF WASHINGTON
OFFICE OF THE
TRAVELER PROTECTION
COMMISSION

**Written response of Ibrahim Suseyi d/b/a The Suseyi Pro Moving Company to
Washington Utilities and Transportation Commission Penalty Assessment TV-170243**

I request that the penalty of \$14,000 to Ibrahim Suseyi d/b/a The Suseyi Pro Moving Company ("Suseyi") be significantly reduced for at least the following reasons:

1. First, when the UTC granted Suseyi temporary authority, per its Order dated February 20, 2015 (enclosed), UTC stated that "[i]t is consistent with the public interest to grant temporary authority and issue a permit to The Suseyi Pro Moving Service Company, authorizing the transportation of household goods in the state of Washington for a period of **six months**. **During this time the Commission will evaluate whether The Suseyi Pro Moving Service Company has met the criteria in WAC 480-15-305 to obtain permanent authority.**" (emphasis added). Although one of the criteria for granting permanent authority under WAC 480-15-305 is the applicant's receipt of a "satisfactory safety rating in a safety review conducted by commission safety staff," UTC safety staff did not conduct a safety review of any sort until March 2017 (as noted in the Penalty Assessment to which this written statement responds), more than **two years** after temporary authority was granted. This delay resulted in more violations of CFR Part 391.45(a) than would have occurred if Suseyi's lack of compliance with that section had been raised during the first six months of Suseyi's operations (during which time Suseyi did significantly fewer moves than it did during the six months covered by the March 2017 safety review) as contemplated by the Commission's February 20, 2015 order. Indeed, the Penalty Assessment to which this written statement responds acknowledges that as soon as each violation was brought to Suseyi's attention, it was immediately corrected. (See p. 2, no. 5 ("The company demonstrated its interest in gaining compliance by immediately correcting violations as they were identified during the compliance review investigation.")).
2. Second, the violations were not intentional. Suseyi is new to the moving industry. Both Ibrahim Suseyi and his co-owner, Sara Suseyi, attended Commission-sponsored household goods carrier training classes upon being granted temporary authority in 2015. Neither Ibrahim nor Sara understood from the respective trainings they attended that their drivers needed to have medical certifications. The Penalty Assessment (see p. 2, no. 2) states that the training included specific information on driver qualification requirements, but Ibrahim and Sara both recall the presentations at the trainings they attended were disjointed, largely due to multiple interruptions from training participants. In addition, as noted in the Penalty Assessment (see p. 2, no. 2), considerations for whether the violation is intentional include "whether the company ignored Commission staff's previous technical assistance." No technical assistance was provided to Suseyi; to the contrary, as noted above, Commission staff did not conduct a safety review within the first six months (or even the first two years) of Suseyi's temporary authority.
3. Third, Suseyi took immediate and decisive action to remedy the violations. The Penalty Assessment recites Suseyi's "immediately correcting violations as they were identified during the compliance review investigation," as noted above. But it does not mention or take it into account that Suseyi paid for each driver's physician appointment (at a cost of \$570) to immediately correct the violations because the drivers would not have been able to secure the necessary medical certifications as quickly if they had to cover the costs themselves. Suseyi is

not seeking reimbursement of those costs from its drivers, and thus has already incurred a significant financial penalty as a result of the violations noted in the Penalty Assessment.

4. Fourth, the size of the penalty is substantial, and would be devastating to Suseyi's business. Paying the full amount of the \$14,000 penalty, without mitigation, could jeopardize Suseyi's ability to continue operating as a household goods carrier. This would not be in the public interest, as it would limit consumer options for household goods carriers in the State of Washington.

Signed: 
Ibrahim Suseyi

Dated: 5/3/2017