

Service Date: July 3, 2017

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

NOTICE OF PENALTIES INCURRED AND DUE FOR VIOLATIONS OF LAWS AND RULES

PENALTY ASSESSMENT: TV-170539
PENALTY AMOUNT: \$1000

Old School Movers, LLC
1410 Tawny Lane
Walla Walla, WA 99362

According to Washington Utilities and Transportation Commission (Commission) records, you have violated Washington Administrative Code (WAC) 480-15-480, which requires household goods carriers companies to file their annual report and pay regulatory fees each year by May 1. You did not file a complete annual report by May 1, 2017.

Revised Code of Washington (RCW) 81.04.405 authorizes the Commission to assess a penalty of \$100 for each violation of a Commission rule. In the case of a continuing violation, every day's continuance is a separate and distinct violation. The Commission interprets noncompliance with WAC 480-15-480 beyond May 1 as a continuing violation, and assesses penalties of \$100 for each day a company fails to file its complete report or pay its regulatory fees after that date.

As a result, the Commission has assessed penalties against you in the amount of \$1000 on the following basis:

On February 28, 2017, the Commission sent the 2016 annual report forms and the 2017 regulatory fee packets to all household goods carriers companies registered in Washington. The instructions page for the annual report form instructed these companies to file complete annual reports and pay regulatory fees by May 1, 2017. The instructions page also stated that failure to file the complete annual report by May 1 would result in penalties. The deadline for requesting an extension to file your annual report was April 15. You did not request an extension.

As of May 15, 2017, Old School Movers, LLC had not filed its complete 2016 annual report or paid its 2017 regulatory fee. May 15 is 10 business days from May 1, resulting in a total penalty of \$1,000. A complete and accurate annual report is still not on file and additional penalties may accrue until the Commission receives the report and any required regulatory fee. Old School Movers, LLC does not have prior violations of 480-15-480, and accordingly, the Commission will exercise its discretion to suspend a \$750 portion of the penalty subject to the conditions that Old School Movers, LLC files a complete annual report, pays any outstanding regulatory fee, and pays the \$250 portion of the penalty that is not suspended within 15 days of receipt of this Notice. If these conditions are not met,

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the entire \$1,000 penalty will immediately become due and payable without further Commission action.

Your penalty is due and payable now. If you believe the violation did not occur, you may request a hearing to contest the penalty assessment. The Commission will grant that request only if material issues of law or fact require consideration of evidence and resolution in a hearing. A request for a hearing must include a written statement of the reasons supporting that request. Failure to provide such a statement will result in denial of the request.

If there is a reason for the violation that you think should excuse or reduce the penalty, you may ask for mitigation (reduction) of this penalty through evidence presented at a hearing or in writing. The Commission will grant a request for a hearing only if material issues of law or fact require consideration of evidence and resolution in a hearing. Any request for mitigation must include a written statement of the reasons supporting that request. Failure to provide such a statement will result in denial of the request. See RCW 81.04.405.

The Commission will only grant requests for mitigation if the violations occurred due to circumstances beyond your control. Such circumstances include, but are not limited to: death or serious illness of the person responsible for filing the report, or a member of that person's immediate family; destruction by fire or other casualty of your place of business or business records; or an act of fraud, embezzlement, theft, or conversion on the part of your employee.

The following are examples of circumstances that are **not** considered to be beyond your control, and thus are not acceptable bases for requesting mitigation: financial hardship; a misunderstanding or lack of knowledge of Commission rules; failure to receive an annual report form from the Commission; mistakes or misconduct on the part of your employees; employee termination or turnover; personal events such as weddings or graduation ceremonies; and vacations or business trips.

If you properly present your request for a hearing and the Commission grants that request, the Commission will review the evidence supporting your dispute of the violation or application for mitigation in a Brief Adjudicative Proceeding, before an administrative law judge. The administrative law judge will consider the evidence and will notify you of his or her decision.

You must act within 15 days after receiving this notice to do one of the following:

- Pay the \$250 due. If the \$250 unsuspended portion of the penalty remains unpaid, the complete annual report is not filed, or if the outstanding regulatory fee is unpaid, the entire \$1000 will immediately become due and payable without further Commission action.
- Request a hearing to contest the occurrence of the violations.
- Request mitigation to contest the amount of the penalty.

In addition to your selection, a complete annual report and payment of the regulatory fee is required. Payment of the penalty does not satisfy the requirement that you file an annual report and pay any applicable regulatory fee.

Please indicate your selection on the enclosed form and file it with the Washington Utilities and Transportation Commission at: <https://www.utc.wa.gov/docs/Pages/ElectronicFiling.aspx>, **within FIFTEEN (15) days** of receiving this electronic notice.

If you do not act within 15 days, the Commission may refer this matter to the Office of the Attorney General for collection, which may file suit in state court to collect the penalty. The Commission may also initiate proceedings under WAC 480-15-450 to cancel your permit to operate as a household goods carrier in Washington.

DATED at Olympia, Washington, and effective June 29, 2017.

/s/ Gregory J. Kopta
GREGORY J. KOPTA
Administrative Law Judge

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT TV-170539

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

[] 1. Payment of penalty. I admit that the violations occurred. I have:

[] Enclosed \$ _____ in payment of the penalty

[] Submitted my payment of \$ _____ online at www.utc.wa.gov. My confirmation number is _____.

[X] 2. Contest the violation. I believe that one or more of the alleged violations did not occur, for the reasons I describe below (if you do not include reasons supporting your contest of the violations here, your request will be denied):

This issue should be resolved because the violations DID NOT occur: Enclosed is a copy of the 2016 UTC annual report and copy of the 2017 regulatory fee in the amount of \$388.71 paid April 27th, 2017. These were completed on said date electronically on the Commission's official website. Until this year, the annual reports have always been timely hand-done and paid by Business checks with no problems, so it is unsettling to have an arbitrary violation demanding penalty payments due to there being no report/fee received by the Commission. Please review with staff to determine how this mistake happened.

[] a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision

OR

[] b) I ask for a Commission decision based solely on the information I provide above.

[] 3. Application for mitigation. I admit the violations, but I believe that the penalty should be reduced because the violations occurred due to circumstances beyond my control, as explained below (if you do not include reasons that support your application for mitigation here, your request will be denied):

[] a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision

OR

[] b) I ask for a Commission decision based solely on the information I provide above.

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REGISTRATION MANAGEMENT
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UTILITIES AND TRANSPORTATION
COMMISSION

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: 7-12-17 [month/day/year], at Walla Walla, WA [city, state]

OLD SCHOOL MOVERS, LLC
Name of Respondent (company) – please print

B. Dowald Business Mgr.
Signature of Applicant

RCW 9A.72.020:

“Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor’s mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony.”

HOUSEHOLD GOODS CARRIERS 2016 ANNUAL REPORT

FOR

OLD SCHOOL MOVERS, LLC of Movers
(REGISTERED NAME OF BUSINESS)

1410 Tawny Lane
(OFFICIAL MAILING ADDRESS)

Walla Walla WA 99362
(CITY) (STATE) (ZIP)

Please check if address listed above is an updated address

Report Year Ended: December 31, 2016

Inquiries concerning this Annual Report should be addressed to:

Name/Title: Bert Dawald, Business Manager
Address: 1410 Tawny Lane
City: Walla Walla
State/Zip: WA 99362
Telephone: 509-525-6613
Email: bertdawald@gmail.com

SUBMIT TO:
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
PO Box 47250
Olympia, WA 98504-7250

File online: www.utc.wa.gov



REPORT MUST BE RECEIVED NO LATER THAN MAY 1, 2017

Please refer to the Instructions for Completing the Annual Report on Page 2

ANNUAL REPORT CERTIFICATION

(PLEASE VERIFY THAT ALL SCHEDULES ARE ACCURATE AND COMPLETE BEFORE SIGNING)

I, the undersigned JEFF DAWALD
Responsible Account Officer (Please Print)

of OLD SCHOOL MOVERS, LLC
Name of Company

have examined this report and to the best of my knowledge and belief, all statements of fact are accurate, the financial statements, for the period from January 1, 2016 to December 31, 2016, contained in this report, correctly reflect the business affairs of the respondent.

OWNER/SOLE PROPRIETOR
Title
(please print)

(business) 509-386-6874
Telephone Number

JEFF DAWALD
(Signature of Responsible Account Officer)
(Typed if submitting electronically)

27-Apr-17
Date

GENERAL INFORMATION

Washington Unified Business Identifier (UBI) No.: 602 623 054
(If you do not know your UBI No. please contact Business Licensing Service at 1-800-451-7985 or BLS@dor.wa.gov)

Business Structure (please check the appropriate designation):

Individual / Sole Proprietor Partnership Other (LP, LLP, LLC) Corporation Nonprofit Corporation

List the name, title, and percentage of partner's share or stock distribution for major stockholders. If LLC, list members and percentage of ownership.

Name	Title	Percent / Shares / Stock / Ownership
JEFF DAWALD	OWNER/PROPRIETOR	100%
Bert Dawald	Business Manager	~ 0 ~

SCHEDULE 1

(complete all information for the year 2016)

Staff Contact Information

Safety Director Name: Teri Martin Phone: 541-310-0650

Claims Manager Name: _____ Phone: _____

Vehicle and Mileage Information

Driver, Wage and Vehicle Information		Mileage Information	
Drivers employed	three	Total Operating Miles	
Total vehicles operated	three	Intrastate	8,656
Total vehicles owned	three	Interstate	4,621
Total vehicles leased	0	Intrastate: Trips that operate exclusive within WA	
Total vehicles under 10,000 lbs. (gvw rating)	one	Interstate: Trips that operate outside of WA	

Recordable Intrastate and Interstate Accidents

Recordable Accidents	Intrastate	Interstate
A fatality	0	0
An injury to a person requiring immediate treatment away from the scene of the accident	0	0
Disabling damage to a vehicle, requiring it to be towed from the accident scene	0	0
Total number of recordable accidents	0	0

General Operations

Terminal Facilities	Storage Facilities
Do you operate terminals at locations other than the primary address of record? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list (or attach list) the address of each terminal located in Washington State:	Do you operate your own storage facilities? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list (or attach list) the address of each warehouse located in Washington State:

Interstate Operations	Agent Operations
Do you have interstate operating authority? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list your MC#:	Do you operate as the agent of an interstate carrier? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, what is the name of the carrier:
MC#: <u>MC837397</u>	Carrier Name

SCHEDULE 2

(complete all information for the year 2016)

Revenue Confirmation

	Total Company ¹	Total WA ²	WA Intrastate ³
Annual Revenue for the twelve months ended December 31, 2016	\$169,040	\$155,483	\$155,483

¹ All revenues (regulated, non-regulated, interstate, intrastate). Entry matches total company income statement.

² Revenues earned in WA (regulated, non-regulated, interstate, intrastate) and matches your WA Dept. of Revenue filing.

³ Regulated revenues (regulated, intrastate) only. Gross Washington intrastate operating revenue is defined as all revenue collected for the year under Washington Utilities and Transportation Commission Tariff 15C. The revenues subject to the Commission's regulatory fees are gross Washington intrastate operating revenues before deductions for uncollectibles, unbillables, or the payment of state and federal taxes.

Household Goods Moves

	Total Washington ⁴	Intrastate only ⁵
Number of household goods moves completed during the year	356	333
Number of written estimates issued during the year	12	6
Number of Loss and/or Damage Claims received during the year	1	1

⁴ All moves performed by the company registered with the commission (may include non-regulated or interstate moves where the move either originates or terminates within Washington).

⁵ Regulated moves (under Tariff 15C) where the move both originates and terminates within Washington.

REGULATORY FEE CALCULATION SCHEDULE
Due May 1, 2017

Company Name:

OLD SCHOOL MOVERS, LLC

Annual Report Year
2016

In accordance with RCW 81.24.010 and 81.24.321 "Regulatory Fees", the Commission requires Household Goods companies to file reports of gross intrastate revenue and pay fees on that revenue. Every company subject to regulation shall file with the Commission a statement under oath showing its gross intrastate operating revenue from operations for the preceding year and pay to the Commission a fee as instructed below. There is no minimum fee.

Regulatory Fee Calculations

1 Total Gross Intrastate Operating Revenue** (enter amount from WA Intrastate Revenue - Schedule 2)		\$155,483.00
2 Gross Intrastate Operating Revenue x .25%	\$155,483.00 x 0.0025	\$388.71
	<i>Agency Use Only</i> 001-111-0268-207-01	

Penalty & Interest Calculations

3 Penalties on Regulatory Fees being paid after May 1			
3a Total Penalties on Regulatory Fees owed (enter amount from Line 2 x 2%)	\$0.00 x	0.02	\$0.00
4 Interest on Regulatory Fees being paid after May 31			
4a Amount from Line 2 x Number of months past May 31 x 1%	\$0.00 x	\$0.00 x	0.01
5 Total Penalties and Interest owed (Line 3a plus Line 4a)			\$0.00
8 Total Regulatory, Penalties and Interest Fees Due (Line 2 plus Line 5)			\$388.71
		<i>Agency Use Only</i> 001-111-0268-207-11	

****Note:** Gross Washington intrastate operating revenue is defined as **all revenue collected for the year** from rates under Washington Utilities and Transportation Commission Tariff 15C. The revenues subject to the Commission's regulatory fees are gross Washington intrastate operating revenues **before** deductions for uncollectibles, unbillables, or the payment of state and federal taxes.

COMMISSION USE ONLY

Reception #:	_____	001-111-0268-207-0	_____
Reference:	AR2016	001-111-0268-207-1	_____
Payment ID:	_____	001-111-0268-032-20	_____
		001R-111-0268-032-20 (_____)
		Total Paid:	_____

This is a "printer friendly" page. Please use the "print" option in your browser to print this screen.



Washington, State of - Utilities & Transportation Commission
Utilities & Transportation Commission Payment

Confirmation Number Date & Time
070350 Thursday, April 27, 2017 05:05PM PT

Payment Method	Amount	Service Fee	Total
VISA Ending in 5466	\$388.71	\$9.72	\$398.43

Account Information

Name BERT DAWALD
Street Address 1410 TAWNY LANE
City WALLA WALLA
State WA
Zip code 99362
Country United States
Daytime phone (509) 525 - 6613
Email bertdawald@gmail.com
Payment ID 3311

Thank you for using Official Payments. If you have a question regarding your payment, please call us toll free at 1-866-621-4109. To make payments in the future, please visit our website at www.officialpayments.com.

