



May 29, 2018

VIA WEB PORTAL

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

RE: *In the Matter of Determining the Proper Carrier Classification of and Complaint for Penalties against Dolly, Inc.*
Docket No. TV-171212

Dear Mr. King:

Enclosed for filing please find the original and one (1) copy of the following documents:

- 1) Motion to Stay, and
- 2) Certificate of Service.

If you have any questions, please contact the undersigned.

Sincerely,

Armikka R. Bryant
Attorney for Dolly, Inc.

AB/ck

Enclosures

cc: Parties w/enc.

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UTIL. AND TRANSP.
COMMISSION

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of

Determining the Proper Carrier Classification
of, and Complaint for Penalties Against:

DOLLY, INC.

Docket No. TV-171212

MOTION TO STAY EFFECTIVENESS
OF FINAL ORDER 04

1 Pursuant to RCW 34.05.467 and WAC 480-07-860, Dolly, Inc. (“Dolly”) respectfully files this motion to stay the effectiveness of Final Order Denying Petition for Administrative Review of Corrected Order 02 (“Order 04”).

2 Order 04 found that Dolly is classified as a household goods carrier, common carrier, and solid waste collection company; must immediately cease operating as a household goods carrier, common carrier, and solid waste collection company unless it obtains authority from the Commission; must clearly indicate in its web-based application on the Internet and in its advertising on Facebook, Twitter, Pinterest, and any other social media sites or other platforms it uses or has used to make its services known that it does not offer or perform services in the state of Washington as a household goods carrier, as a common carrier transporting property other than household goods, or as a solid waste hauler unless it obtains authority from the Commission; and assessed a penalty of \$69,000.00 which is suspended until June 19, 2019.

3 After receiving service of Order 04 Dolly contacted the Washington Utilities and Transportation Commission Staff (“Staff” or “Commission Staff”) to inquire about applying for

household goods carrier, common carrier, and solid waste collection company permits to obtain the above-referenced authority from the Commission.

4 Dolly files this motion to stay to allow Dolly and Commission Staff time to determine the appropriate process to complete the applications and for Commission Staff to determine a final disposition of those applications. For example, several Commission rules applicable to the permit process do not apply to Dolly but Dolly nevertheless must request an exemption from those rules in order to qualify for the applicable permit. Exemption from Commission rules is not automatically granted and requires Dolly to petition the Commission for exemption.

5 Order 04 becoming effective will cause Dolly irreparable harm as the cease and desist provisions requires Dolly to permanently refrain from making its services known to consumers and refrain from providing those services. Additionally, Dolly's applications to obtain Commission authority to operate comply with the terms of the cease and desist orders. Both Commission Staff and Dolly should be permitted time to process those applications and for the Commission to rule on Dolly's petitions for exemption from relevant and applicable Commission permitting rules.

DATED this 29th day of May, 2018.

Respectfully Submitted,



Armikka R. Bryant, WSBA No. 35765
Director, Legal and Government Affairs
Dolly, Inc.
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Seattle, WA 98164-2086
(206) 413-6581
armikka@dolly.com

CERTIFICATE OF SERVICE

DOCKET NO. TV-171212

Determining the Proper Carrier Classification and Complaint for Penalties

I, Casey Klaus, do hereby certify that, pursuant to WAC 480-07-150(6), I have this day served a true and correct copy of *Motion to Stay* to all parties of record listed and by the manner indicated below:

SERVICE LIST

**HC = Receive Highly Confidential; C = Receive Confidential;
NC=Receive Non-Confidential**

<p>COMMISSION STAFF:</p> <p>Jeffrey Roberson Office of the Attorney General Utilities & Transportation Commission 1400 S. Evergreen Park Dr. S.W. P.O. Box 40128 Olympia, Washington 98504-0128 Phone: (360) 664-1188 Fax: (360) 586-5522 Email: jeff.roberson@utc.wa.gov</p> <p><input type="checkbox"/> via ABC Legal Messenger <input type="checkbox"/> via FedEx Overnight Delivery <input type="checkbox"/> via U.S. First-Class Mail <input type="checkbox"/> via Hand-Delivery <input checked="" type="checkbox"/> via E-Mail</p>	
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Dated at Seattle, Washington, this 29TH day of May, 2018.



Casey Klaus
Office Manager & Administrative Assistant