

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Investigation of  
  
3Z MOVERS, LLC  
  
For Compliance with WAC 480-15-560 and  
WAC 480-15-570

DOCKET TV-180198  
  
NOTICE OF INTENT TO CANCEL  
PERMIT AS A HOUSEHOLD GOODS  
CARRIER  
  
NOTICE OF BRIEF ADJUDICATIVE  
PROCEEDING; SETTING TIME FOR  
ORAL STATEMENTS  
**(Set for February 26, 2019,  
at 9:30 a.m.)**

- 1 Pursuant to RCW 81.80.130, the Washington Utilities and Transportation Commission (Commission) has authority to regulate common carriers, including household goods carriers, with respect to safety of operations. Washington Administrative Code (WAC) 480-15-450 provides that the Commission may cancel a household goods carrier’s permit and operating authority for good cause, including when the carrier fails to comply with safety requirements. Commission staff (Staff) recommends that the Commission cancel 3Z Movers, LLC’s (3Z Movers or Company) household goods permit for good cause due to the Company’s ongoing failure to comply with applicable laws and Commission rules pertaining to the operation of household goods carriers, including safety requirements set in law or rule.
- 2 WAC 480-15-999 adopts by reference Title 49 of the Code of Federal Regulations (C.F.R.), pertaining to safety requirements for household goods carriers. WAC 480-15-560 specifically requires carriers to comply with 49 C.F.R. Part 385. 49 C.F.R. § 385.13 prohibits motor carriers from operating beginning on the 61st day after the date of a notice of proposed unsatisfactory rating. Pursuant to 49 C.F.R. § 385.17, a carrier that receives a proposed unsatisfactory or conditional safety rating may request a change in its safety rating based on evidence that the company has taken corrective actions to address the identified violations and that the company’s operations currently meet the safety fitness standards.
- 3 In September 2013, 3Z Movers applied for a household goods carrier permit. In October 2013, the Commission granted the Company a provisional household goods carrier permit.
- 4 In February 2018, Staff completed a safety investigation of 3Z Movers’ operations. That investigation resulted in a conditional safety rating for the Company. In May 2018, the Commission penalized 3Z Movers for numerous safety violations discovered during Staff’s safety investigation.

- 5 In July 2018, the Commission canceled 3Z Movers' provisional household goods carrier permit for failure to maintain proof of insurance with the Commission.
- 6 In August 2018, 3Z Movers applied for reinstatement of its provisional operating permit. The Commission granted the Company's application later that month. In doing so, the Commission stated that "3Z Movers LLC must continue to comply with state laws, Commission rules, and the provisions of Tariff 15-C. Failure to do so will result in Commission enforcement action, up to and *including revocation of the company's permit.*"<sup>1</sup>
- 7 In November 2018, Staff conducted an investigation of 3Z Movers' compliance with the safety requirements in WAC 480-15. As a result of the compliance investigation, Staff documented 24 safety violations and proposed a conditional safety rating for the Company. Staff notified the Company of this proposed rating on January 10, 2019.
- 8 Under the circumstances presented in this case, the Commission determines that it will afford 3Z Movers the same opportunity as companies that have received a proposed unsatisfactory rating to provide evidence, in the form of an approved safety management plan, showing that the Company has taken corrective action to address the identified violations. 3Z Movers must come into compliance with applicable laws by filing a safety management plan by February 19, 2019, and obtaining Commission approval of the plan no later than March 11, 2019. If the Company fails to come into compliance by that date, the Commission will cancel its household goods carrier permit effective March 12, 2019. Thereafter, as an unregistered company, 3Z Movers would be prohibited from providing household goods carrier services in the state of Washington.
- 9 **THE COMMISSION GIVES NOTICE: That it intends to cancel the permit and authority of 3Z Movers to provide services as a household goods carrier effective March 12, 2019, for cause, following a hearing on the factual allegations set out above, unless the Company obtains Commission approval of a safety management plan prior to that date.**
- 10 The Company has the right to request a hearing in this matter. Due to the short time-frame determined by the upcoming deadline, and pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission schedules a hearing on its own initiative and determines that a brief adjudicative proceeding is appropriate to determine whether the Commission should cancel 3Z Movers' household goods carrier permit.

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<sup>1</sup> *In re 3Z Movers LLC*, Docket TV-180699, Letter Approving Reinstatement of Provisional Household Goods Permit, at 2 (Aug. 7, 2018) (emphasis added).

- 11* **THE COMMISSION GIVES FURTHER NOTICE: That it will hold a brief adjudicative proceeding in this matter at 9:30 a.m., on February 26, 2019, in Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 12* The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.
- 13* Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide at its offices in Olympia, Washington, copies of documents in the current record for use by the parties or others who may want to review them.
- 14* **3Z Movers must submit its proposed safety management plan no later than 5 p.m. on February 19, 2019.** Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission a list enumerating and describing any such documents **no later than 5 p.m., February 19, 2019** and bring four (4) copies of those documents to the hearing. Filing shall be in accordance with WAC 480-07-140.
- 15* **THE COMMISSION GIVES NOTICE: That any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**
- 16* The names and mailing addresses of all parties and their known representatives are shown as follows:

Commission: Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250

Representative: Joe Dallas  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1192  
joe.dallas@utc.wa.gov

Respondent: 3Z Movers, LLC  
14428 88th Ave. Ne.  
Kirkland, WA 980343  
(206) 486-2462  
3zmovers@gmail.com

17 Administrative Law Judge Nelli Doroshkin, from the Commission's Administrative Law Division, will preside during this proceeding.

DATED at Olympia, Washington and effective January 15, 2019

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON  
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary  
Washington Utilities and Transportation Commission  
Richard Hemstad Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
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**NOTICE**

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Mark L. Johnson, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_