

# LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NO. T-33442

LOUISIANA PUBLIC SERVICE COMMISSION  
VERSUS  
EWING MOVING SERVICE, INC.  
DBA EWING MOVING & STORAGE (MEMPHIS, TN)

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*In Re: Alleged violation of La. R.S. 45:161 through 180.1, by operating intrastate without LPSC authority, allegedly occurring on or about October 24, 2014 through October 25, 2014.*

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(Decided at the February 26, 2015 Business and Executive Meeting)

## ***Background***

Ewing Moving Service, Inc. (“Ewing”) is a Tennessee household goods moving company that does not hold an LPSC certificate. After observing Ewing conducting a move in Abbeville, Louisiana, a Louisiana Public Service Commission (“LPSC”) enforcement agent issued Ewing a citation for operating without authority.

## ***Jurisdiction***

The Commission exercises jurisdiction over common carriers in Louisiana pursuant to Article IV, Section 21(B) of the Louisiana Constitution, which states:

The commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by law. It shall adopt and enforce reasonable rules, regulations and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law.

Additionally, La. R.S. 45:164 E (1) provides that:

All movers of household goods shall be required to apply for and secure a registration permit from the Louisiana Public Service Commission, shall secure and maintain the insurance policies required by the Louisiana Public Service Commission for movers of household goods, shall comply with all other requirements of the Louisiana Public Service Commission, shall carry motor truck cargo carriers insurance of at least fifty thousand dollars per truck and one hundred thousand dollars per catastrophe, shall secure and maintain workers' compensation insurance, and shall file a surety bond by a qualified surety company with the Louisiana Public Service Commission in the amount of five thousand dollars, prior to engaging in any activities related to moving household goods.

## ***Staff Recommendation***

In response to the citation, the President of Ewing executed an affidavit admitting to operating without authority and agreed to a fine of \$10,000.00 with \$5,000.00 suspended, and a \$25.00 citation fee, contingent upon Ewing Moving Services, Inc.

1) not committing any additional violations for a period of one year from the date of the executed stipulated agreement, and

2) submitting an application for a common carrier certificate no later than February 23, 2015.

The carrier paid the \$5,000.00 fine and \$25.00 citation fee and submitted the application.

Staff recommended that the Commission approve the Affidavit and Stipulation signed by the carrier.

**Commission Action**

On motion of Commissioner Holloway, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.

On motion of Commissioner Holloway, seconded by Commissioner Angelle, and unanimously adopted, the Commission voted to approve the Affidavit and Stipulation signed by the carrier.

**IT IS THEREFORE ORDERED:**

The Affidavit and Stipulation is accepted. Accordingly, all conditions of the Affidavit and Stipulation are hereby given effect.

This order is effective immediately.

**BY ORDER OF THE COMMISSION  
BATON ROUGE, LOUISIANA**

March 10, 2015

/S/ CLYDE C. HOLLOWAY  
DISTRICT IV  
CHAIRMAN CLYDE C. HOLLOWAY

/S/ SCOTT A. ANGELLE  
DISTRICT II  
VICE CHAIRMAN SCOTT A. ANGELLE

/S/ FOSTER L. CAMPBELL  
DISTRICT V  
COMMISSIONER FOSTER L. CAMPBELL

/S/ LAMBERT C. BOISSIERE  
DISTRICT III  
COMMISSIONER LAMBERT C. BOISSIERE, III

  
EVE KAHAO GONZALEZ  
SECRETARY

/S/ ERIC F. SKRMETTA  
DISTRICT I  
COMMISSIONER ERIC F. SKRMETTA