

**BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
RALEIGH, NORTH CAROLINA**

**APPLICATION FOR CERTIFICATE OF EXEMPTION
TO TRANSPORT HOUSEHOLD GOODS**

Docket No. _____

()

Name of Applicant and/or Trade Name

Telephone Number

Physical Address and Mailing Address

City

State

Zip

EMAIL ADDRESS _____

The above-named Applicant has read the instructions attached hereto and hereby applies for a certificate of exemption pursuant to G.S. 62-261(8) to transport household goods by motor vehicle for compensation within North Carolina, and to that end shows:

1. That the Applicant will be the sole owner and in control of the transportation business proposed herein; that said Applicant is () an individual/sole proprietor, () a partnership, () an LLC, or () a corporation incorporated under the laws of the State of _____; and that the names and addresses of the Applicant's principals are as follows: [Applicant's principals are: the sole proprietor for a sole proprietorship; partners for a partnership; directors and officers for an Inc.; or member-managers and nonmember-managers for an LLC.]

2. That the Applicant holds Federal authority in Certificate No. _____.
(Complete only if applicable.)

3. That the Applicant has read and understands the terms and conditions attached to the certificate of exemption set forth below and certifies that it has met the terms and conditions prior to being issued a certificate of exemption. Indicate agreement by inserting a checkmark (✓).

() Applicant is fit, willing, and able to properly perform the service of household goods transportation within North Carolina, is familiar with the moving industry, has a reasonable and adequate knowledge of the rules and regulations governing the moving industry, including safety requirements as enforced by the North Carolina Division of Motor Vehicles, and has knowledge of and will abide by the tariff requirements as established by the Commission in Maximum Rate Tariff No. 1. (Please complete Exhibit C on page 5.)

() Applicant is financially solvent and able to furnish adequate service on a continuing basis by maintaining the required insurance protection, maintaining safe, dependable equipment, and being able to settle any damage claims which may arise.

() Applicant will maintain and has filed, or will soon file, with the Division of Motor Vehicles (or the Commission) the following minimum limits of liability and cargo insurance coverage: liability insurance coverage on Form E (\$100,000/\$300,000/\$50,000 for GVW of 26,000 lbs. or less and \$750,000 for GVW of more than 26,000 lbs.) and cargo insurance coverage on Form H (\$35,000/\$50,000).

() Applicant will maintain and has filed, or will soon file, with the Commission's Operations Division proof of general liability insurance coverage in the minimum amount of \$50,000.

() Applicant will permit only persons possessing a valid driver's license to operate the motor vehicles that will be used for transporting household goods in compliance with the laws of the State of North Carolina.

() All the Applicant's principals (sole proprietor, partners, directors, officers, member-managers, nonmember-managers) will provide certified criminal history record checks for the 10-year period immediately preceding the filing date of this application with the Commission. Criminal history record checks must be fingerprint-based, nationwide, and compiled by the United States Federal Bureau of Investigation (FBI). The FBI criminal history record check should be requested and mailed to (received by) the individual requesting his/her own record and then such individual should forward (mail or hand-deliver) his/her FBI criminal history record check to the Commission's Chief Clerk's Office. The FBI may be contacted at (304) 625-5590 to request information on how to obtain your certified criminal history record check. The Commission's Chief Clerk's Office will mark/stamp all criminal history record checks as CONFIDENTIAL upon receipt. [Applicant will not automatically be denied a certificate of exemption solely on the basis of past criminal activity. The Commission will review and evaluate the information provided to determine if it is relevant to, or would call into question, the Applicant's fitness to possess a certificate of exemption.]

() Applicant's principals (sole proprietor, partners, directors, officers, member-managers, nonmember-managers) are either United States citizens or non-United States citizens. The names and titles of the principals who are United States citizens are as follows:

The names and titles of the principals who are non-United States citizens with employment authorization documents proving legal status to work within the United States are as follows:

Applicant's principals who are not United States citizens will provide employment authorization documents proving legal status to work within the United States. Employment authorization documents should be marked/stamped as CONFIDENTIAL and sent to the Commission's Chief Clerk's Office.

4. That there is attached to and made a part of this application:

- Exhibit A, which is a statement of the approximate cost of the property of all kinds (including vehicles, pads, dollies, hand trucks, etc.) which the Applicant proposes to use in the transportation of household goods, including a list of the locations at which the Applicant proposes to establish and maintain terminals, if any, and a list of the year, make, body type, and GVW of the motor vehicles the Applicant proposes to use in the business.

- Exhibit B, which is a current balance sheet showing in detail the Applicant's assets, liabilities, and net worth. A separate balance sheet with the same information may be attached.

- Exhibit C, which details the Applicant's experience in the moving industry.

- Any required criminal history record checks or employment authorization documentation.

Submitted this _____ day of _____, _____.
Month Year

**Printed Name of Applicant's Attorney

Printed Name of Applicant

**Signature of Applicant's Attorney

Signature of Applicant

**Address of Applicant's Attorney

Date of Applicant's Signature

**Date of Applicant Attorney's Signature

Verification

STATE OF _____

COUNTY OF _____

The above-named Applicant, _____, personally appeared before me this day and, being first duly sworn says that the facts stated in the foregoing application and all exhibits, documents, and statements thereof attached are true as he/she verily believes.

WITNESS my hand and notarial seal,

This _____ day of _____, _____.
Month Year

Signature of Notary Public

My Commission expires _____
Date

****PLEASE NOTE: APPLICATIONS FILED ON BEHALF OF A CORPORATION, AN ASSOCIATION, OR AN LLC SHALL BE FILED BY AN ATTORNEY LICENSED TO PRACTICE IN THE STATE OF NORTH CAROLINA IN ACCORDANCE WITH RULE R1-5 OF THE COMMISSION RULES AND REGULATIONS.**

EXHIBIT A: The approximate cost or present value of the property/equipment/vehicles of all kinds to be used in the operation is \$_____.

Applicant proposes to establish and maintain terminals at the following location(s):

The vehicles to be used in the operation are listed below.

| <u>YEAR</u> | <u>MAKE</u> | <u>BODY TYPE</u> | <u>GVW</u> |
|-------------|-------------|------------------|------------|
|-------------|-------------|------------------|------------|

EXHIBIT B: Applicant's assets, and its liabilities and net worth are as follows:

PLEASE NOTE: If Applicant is an individual/sole proprietorship or partnership, the financial information provided should be that of the proprietor or partners. If applicant is a corporate entity (that is, an Inc. or LLC), the financial information provided should be that of the corporate entity.

| <u>ASSETS</u> | | <u>LIABILITIES & NET WORTH</u> | |
|---------------------|----------------|--|----------------|
| Real Estate | \$_____ | Liens of Real Estate | \$_____ |
| Vehicle Equipment | _____ | Liens on All Equipment | _____ |
| Other Equipment | _____ | Other Outstanding Loans | _____ |
| Cash on Hand | _____ | Judgements | _____ |
| Cash in Bank | _____ | Other Liabilities | _____ |
| Other Assets | _____ | Net Worth | _____ |
| TOTAL ASSETS | \$_____ | TOTAL LIABILITIES & NET WORTH | \$_____ |

EXHIBIT C: What experience do you have (including number of years) in the transportation of household goods? For example, have you supervised crews, prepared estimates, loaded and unloaded trucks, or prepared bills of lading?

**APPLICATION INSTRUCTIONS FOR CERTIFICATE OF EXEMPTION
PLEASE READ BEFORE COMPLETING THE APPLICATION**

These are the instructions for applying for a certificate of exemption to transport household goods within the State of North Carolina pursuant to two Commission orders. In its Order dated February 22, 2002, in Docket No. T-100, Sub 49, the Commission exempted from regulation the transportation of household goods and required instead that a certificate of exemption be issued to movers of household goods upon the applicant's compliance with certain terms and conditions attached to the certificate of exemption. In its Order dated August 29, 2008, in Docket No. T-100, Sub 69, the Commission attached certain additional terms and conditions to the certificate of exemption. The completed application (**original and two copies**) should be returned to the North Carolina Utilities Commission, Chief Clerk's Office, 4325 Mail Service Center, Raleigh, North Carolina 27699-4325. **There is no filing fee.** Please call (919) 733-4035 if you have any questions concerning this application. You have 120 days to complete your application, including the filing of all associated required documentation, from the initial date of the filing of the application at the Commission.

First of all, the application should be **typed or printed legibly in ink** (no pencil). If you are an individual desiring to provide service under a trade name, please complete the name of applicant by first typing your **full** name d/b/a your trade name (example - John Paul Doe, d/b/a John Doe's Moving Company). Partnerships must also include all partners' full names d/b/a trade name. If the applicant is a corporation, please complete the application in the **exact, same name** as your corporate charter issued by the Office of the Secretary of State.

Paragraph 3 of the application lists the terms and conditions with which the Applicant must comply before being issued a certificate of exemption. You must be fit, willing, and able to provide the transportation of household goods; have the necessary safe and well maintained equipment; be financially solvent in order to maintain the business; have an adequate knowledge of the moving industry and rules and regulations pertaining to the movement of household goods, including safety and tariff requirements; allow only persons possessing a valid driver's license to operate the motor vehicles used for transporting household goods; file with the Commission certified criminal history record checks for the 10-year period immediately preceding the filing date of your application; and either certify United States citizenship status or file with the Commission employment authorization documents. Criminal history record checks must be fingerprint-based, nationwide, and compiled by the United States Federal Bureau of Investigation (FBI). The FBI criminal history record check should be requested and mailed to (received by) the individual requesting his/her own record and then such individual should forward (mail or hand-deliver) his/her FBI criminal history record check to the Commission's Chief Clerk's Office. The FBI may be contacted at (304) 625-5590 to request information on how to obtain your certified criminal history record check. The Commission's Chief Clerk's Office will mark/stamp all criminal history record checks and employment authorization documents as CONFIDENTIAL upon receipt.

You must have on **file with the North Carolina Division of Motor Vehicles (DMV), For Hire Section, liability insurance coverage on Form E** in the following minimum amounts: for vehicles with a Gross Vehicle Weight (GVW) of 26,000 pounds or less - \$100,000/\$300,000/\$50,000; for vehicles with a GVW of more than 26,000 pounds - \$750,000.

Cargo insurance coverage must be on file with DMV on Form H in the following minimum amounts: \$35,000/\$50,000. If your Form E and Form H are not on file with DMV, you must have your insurance company fax these forms to the Utilities Commission (fax-919/733-1585). A copy of your general liability insurance policy with a minimum amount of \$50,000 must be on file with the Commission's Operations Division and may be mailed with this completed application form or mailed separately to the above address. PLEASE NOTE: These insurance filings need not be filed with the application but must be filed prior to the application being granted. INSURANCE FILINGS AND THE APPLICATION MUST ALL BE IN THE EXACT, SAME NAME.

All parts of the application must be completed, or the application will be returned. The individual owner, a partner, or a corporate officer must sign the application on Page 4, and the signature must be notarized.

All applications for a certificate of exemption will be available for review on the Commission's web site (www.ncuc.net). Any party desiring to file a protest must do so in writing by setting forth the reasons for the protest and filing that protest with the Commission no later than 15 days from the filing date of the application for certificate of exemption. A copy of the protest must also be mailed to the applicant on the same day the protest is filed with the Commission. If no protests are received, the certificate of exemption will be issued upon the Applicant's compliance with all terms and conditions as discussed herein and more specifically listed on the application form. If one or more protests are filed, the application will be assigned for public hearing. In addition, if the Commission has a concern about any information contained in the Applicant's criminal record that it believes might call into question the Applicant's fitness to obtain a certificate, the Commission may request additional information or schedule a hearing to allow the Applicant an opportunity to be heard before any further action is taken on the application.

Upon receipt of the correctly completed application; the Applicant's compliance with all the terms and conditions specifically set forth on Pages 1-3 of the application (and as discussed herein); the receipt of no protests; and if criminal record is not relevant to, or does not call into question the Applicant's fitness; a certificate of exemption and C-# will be issued authorizing the Applicant to transport household goods between all points and places within North Carolina. Your C-# must appear in all forms of print advertising, especially any and all yellow page advertising. In addition, you will receive a copy of the Maximum Rate Tariff (MRT), which defines operating procedures as well as the maximum charges for all intrastate moves and related services. **All movers are required to abide by the provisions of the MRT.** All movers are required to attend a MRT training seminar prior to or within three months after receipt of their certificate of exemption.

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