

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper)	DOCKET TV-151655
Carrier Classification of, and Complaint)	
for Penalties against:)	ORDER 02
)	
DEXTER PETRIE and DEXTER)	PREHEARING CONFERENCE
WENDLER d/b/a BUDGET FAMILY)	ORDER; NOTICE OF HEARING
MOVING)	(Set for Tuesday, November 10,
.....)	2015, at 9:30 a.m.)

1 **NATURE OF PROCEEDING.** The Washington Utilities and Transportation Commission (Commission) initiated this special proceeding to determine whether Budget Family Moving (Budget Family Moving or Company) has engaged, and continues to engage, in business as a common carrier for transportation of household goods for compensation within the state of Washington without possessing the permit required for such operations.

2 **PROCEDURAL HISTORY.** On September 19, 2015, the Commission entered Order 01, Order Instituting Special Proceeding; Complaint Seeking to Impose Penalties; Notice of Mandatory Appearance at Hearing, pursuant to RCW 81.04.510, initiating this docket on its own motion. The Commission arranged for Order 01 to be personally served upon the Company.

3 **INITIAL HEARING.** The Commission convened an initial hearing in this docket at Olympia, Washington on October 15, 2015, before Administrative Law Judge Rayne Pearson. The parties utilized this time as a prehearing conference.

4 **APPEARANCES.** Megan Banks, Compliance Investigator, Olympia, Washington, participated in the hearing on behalf of the Commission staff (Commission Staff or Staff).¹ Dexter Petrie represents Budget Family Moving. Contact information for the parties' designated representatives is attached as Appendix A to this order.

¹ In formal proceedings, such as this, the Commission's regulatory staff participates like any other party, while the Administrative Law Judge or the Commissioners make the decision. To assure fairness, the Commissioners and the presiding administrative law judge do not discuss the merits of the proceeding with regulatory staff or any other party without giving notice and opportunity for all parties to participate. *See* RCW 34.05.455.

5 **CLASSIFICATION OF BUDGET FAMILY MOVING.** Mr. Petrie took the position that he is not involved in Budget Family Moving and should not be included in the proceeding. Mr. Petrie contended that his father, Dexter Wendler, was the sole owner and operator of the Company.

6 Commission staff contends that Mr. Petrie is a principal of the Company. In light of these disagreements, the parties agreed that a hearing was necessary.

7 **PROCEDURAL SCHEDULE.** The parties agreed to the following procedural schedule:

Filing Deadline for Witness & Exhibit Lists	Tuesday, November 3, 2015
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Evidentiary Hearing	Tuesday, November 10, 2015
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8 Witness lists must contain the name, address, and telephone number of each witness, along with a short summary of the person's anticipated testimony (*i.e.*, Mr. Smith will describe his job duties and testify about the dates he filed the insurance application on behalf of the company). Exhibit lists must contain a concise description of the document to be presented at the hearing and be accompanied by a copy of each exhibit. Parties should bring the original and two copies of all exhibits with them to the hearing.

9 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter on **November 10, 2015, at 9:30 a.m.**, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.

10 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus two (2) copies of all witness lists, exhibit lists, and the actual exhibits. These materials must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. The Commission prefers that materials be three-hole punched with *oversized* holes to allow easy handling. The Commission may require a party to refile any document that fails to conform to these standards.

11 All filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250. Both the post office box and street address are required to expedite deliveries by the U.S. Postal Service.

12 An electronic copy of all filings must be provided through the Commission's Web Portal (www.utc.wa.gov/e-filing) or by e-mail delivery to records@utc.wa.gov. Alternatively,

parties may furnish an electronic copy by delivering with each filing a CD or flash drive including the filed document(s). Parties must furnish electronic copies in MS Word 6.0 (or later) supplemented by a separate file in .pdf (Adobe Acrobat) format. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files.

- 13 **ELECTRONIC SUBMISSION OF DOCUMENTS.** Parties may submit documents electronically to the Commission on the filing deadline to expedite the filing process, but must file an original, plus two (2) paper copies, of the documents with the Commission by 12:00 noon on the first business day following the filing deadline established in the procedural schedule. WAC 480-07-145(6). Parties may submit documents electronically through the Commission's Web Portal (www.utc.wa.gov/efiling) or by e-mail to records@utc.wa.gov. Finally, to perfect filing, parties must simultaneously provide e-mail courtesy copies of filings to the Administrative Law Judge at rpearson@utc.wa.gov and to the parties to the proceeding.
- 14 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission does have limited ability to provide dispute resolution services; if you wish to explore those services, please call the Director, Administrative Law Division, at 360-664-1355.
- 15 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective October 19, 2015.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RAYNE PEARSON
Administrative Law Judge

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET TV-151655**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Budget Family Moving	Dexter Petrie Budget Family Moving 1212 N. Woodlawn St. Tacoma, WA 98406	(253) 571-5773		
Commission Staff	Jennifer Cameron-Rulkowski Assistant Attorney General 1400 S. Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128	(360) 664-1186	(360) 586-1150	Jcameron@utc.wa.gov