

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper)	DOCKET TV-131603
Carrier Classification of, and Complaint)	
for Penalties against:)	ORDER 02
)	
GREEN, CHANA d/b/a)	PREHEARING CONFERENCE
GREAT AMERICAN MOVING &)	ORDER; NOTICE OF HEARING
STORAGE)	(Set for November 14, 2013,
)	at 9:30 a.m.)
.....)	

1 **NATURE OF PROCEEDING.** The Washington Utilities and Transportation Commission (Commission) initiated this special proceeding to determine whether Chana Green d/b/a Great American Moving & Storage (Great American 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 6, 2013, the Commission entered Order 01, Order Instituting Special Proceeding; Complaint Seeking to Impose Penalties; and Notice of Mandatory Appearance at Hearing, initiating Docket TV-131603. 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 8, 2013, before Administrative Law Judge Adam Torem. The parties utilized this time as a prehearing conference.

4 **APPEARANCES.** Lauren McCloy, Compliance Investigator, Olympia, Washington, represents the Commission’s regulatory staff (Commission Staff).¹ Chana Green,

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

Tacoma, Washington, represents Great American Moving, *pro se*. Contact information for the parties' representatives is attached as Appendix A to this order.

5 **JURISDICTION OVER AND CLASSIFICATION OF GREAT AMERICAN MOVING.** At the initial hearing, Great American Moving asserted that it performed only interstate moves. Ms. Green took the position that the Commission had no jurisdiction over the Company's operations.

6 Commission Staff contends that the information contained in Lauren McCloy's declaration supporting the Complaint is correct and sufficient to prove that Great American Moving's activities include intrastate moves requiring it to obtain a household goods carrier permit.

7 The parties agreed that a full evidentiary hearing would be necessary to determine whether Great American Moving should be classified as a household goods company.

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

Filing Deadline for Witness & Exhibit Lists	November 4, 2013
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Evidentiary Hearing	November 14, 2013
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As noted below (in paragraph 14), electronic filing is acceptable for the witness and exhibit lists, so long as a hard copy is delivered to the Commission on the following business day.

9 Witness lists must contain the name, address, and telephone number of each witness, along with a short descriptive 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.

- 10 **NOTICE OF HEARING.** The Commission will conduct an evidentiary hearing in this matter on **Thursday, November 14, 2013**, in Room 108, First Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.
- 11 **DOCUMENT PREPARATION AND FILING REQUIREMENTS.** Parties must file an original plus two (2) copies of all pleadings, motions, briefs, and other prefiled materials, including 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.
- 12 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.
- 13 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>](mailto:records@utc.wa.gov). Alternatively, parties may furnish an electronic copy by delivering with each filing a CD 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.
- 14 **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/e-filing) 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 presiding administrative law judge (atorem@utc.wa.gov) and to the other parties to the proceeding.

15 **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.

DATED at Olympia, Washington, and effective October 9, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ADAM E. TOREM
Administrative Law Judge

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.

APPENDIX A

**PARTIES' REPRESENTATIVES
DOCKET TV-131603**

PARTY	REPRESENTATIVE	PHONE	FACSIMILE	E-MAIL
Great American Moving & Storage	Chana Green 1826 112 th Street East, Suite D Tacoma, WA 98445	(800) 557-7419		customerservice@greatamericanmove.com
Commission Staff	Lauren McCloy Compliance Investigator 1300 S. Evergreen Park Drive SW P.O. Box 47250 Olympia, WA 98504-7250	(360) 664-1108		lmccloy@utc.wa.gov