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October 17, 2000

**VIA EXPRESS U.S. MAIL (4 copies)**  
**VIA FACSIMILE/(360) 586-1150**

Carole J. Washburn  
Executive Secretary  
WUTC  
1400 S. Evergreen Park Dr., S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128

RECEIVED  
RECORDS MANAGEMENT  
00 OCT 18 PM 1:02  
STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

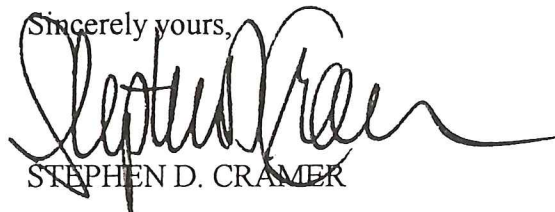
**Re: Joseph Dean Smith, d/b/a Joe the Mover**  
**Docket No. TV-001209**

Dear Ms. Washburn:

Enclosed are the original and five (5) copies of the Declaration of Joseph Dean Smith, dated today. Please return one of the copies bearing your "copy received" stamp; a stamped, self-addressed envelope is enclosed for that purpose. The enclosed declaration is submitted in response to the Commission's 10/13/00 Notice of Brief Adjudication. Please note that the declaration refers to documents which were included in the 9/13/00 Reply Memorandum of Applicant.

Your notice was received in my office by fax at 2:50 p.m. last Friday; I was out of the office that afternoon. The hard copy was received by mail yesterday morning; I did not become aware of your fax transmission or mailing until early yesterday afternoon. Under the circumstances, I consider this to be an unreasonably short notice, especially in view of the 7 - day response time afforded the Commission Staff. In the future, I would appreciate it if you would give the applicant an identical amount of time in which the respond.

Sincerely yours,



STEPHEN D. CRAMER

SDC/amb

Enc.

cc: Shannon E. Smith, via fax only, w/enc.

Client, via fax only, w/enc.

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BEFORE THE  
WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of: )  
)  
**JOSEPH DEAN SMITH, d/b/a** )  
**JOE THE MOVER,** )  
21716 - 84<sup>th</sup> Ave., S., Suite A )  
Kent, WA 98032 )  
\_\_\_\_\_ )

DOCKET NO. TV-001209  
PERMIT NO. TCC-11877  
APPLICATION NO. P078906  
DECLARATION OF JOSEPH DEAN SMITH

RECEIVED  
OCT 18 PM 1:02  
STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

STATE OF WASHINGTON )  
)  
COUNTY OF KING )

**JOSEPH DEAN SMITH**, the applicant herein, declares under penalty of perjury under the laws of the State of Washington that the following statements are true and correct:

1. I am the applicant in the above captioned matter, and I have personal knowledge of all matters stated herein. I am submitting this declaration as my Written Statement and Evidentiary Documents, as referenced in the Commission's Notice of Brief Adjudication, page 2, dated 10/13/00.

2. I own and operate a sole proprietorship in Kent, Washington; my business is concerned with moving of household furnishings and other personal property for hire. At various times, I have operated under the business or trade names of "Joe the Mover," "Jay and Joe the Mover," and "Stealth Moving."

3. I am, and have always been, the sole and exclusive owner of the business and its assets. On 9/13/00, my attorney submitted the Reply Memorandum of Applicant, with attached exhibits. The exhibits include: (a) vehicle certificates of ownership, demonstrating that all business vehicles

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3 are owned exclusively by me and titled in my name only; (b) 1999 IRS 1040 tax return, with  
4 exhibits, and Application for Employer Identification Number, again in my name only; and (c)  
5 Master Business License and Certificate of Coverage in my name. All of those documents are true  
6 and correct copies of the originals.

7  
8 4. My brother, Jason ("Jay") Smith has never had a financial or ownership interest in the  
9 business. On sporadic occasions, I have employed my brother in the capacity of "office manager;"  
10 on each of those occasions, I considered my brother to be an employee only; he acted only under  
11 my direction and control as his employer. Attached to the Reply Memorandum of Applicant are true  
12 and correct copies of all checks I have written to my brother as compensation for services rendered.  
13 My brother's income is reported as "casual labor" on an IRS 1099 form; he has not been registered  
14 with the State of Washington as a regular employee.

15  
16 5. My brother has not worked for my business in any capacity after I received the 7/18/00  
17 Temporary Permit; I do not intend to employ him unless the restrictions in the permit are modified.  
18 If the Commission is concerned about the employer-employee relationship, I would be happy to  
19 register Jason Smith as a regular employee with the Department of Labor & Industries, and make  
20 regular reports of his income and hours worked. I would also agree to prepare and submit W-2  
21 forms at the end of each calendar year.  
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23 **DATED this 17<sup>th</sup> Day of October, 2000**

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26 **JOSEPH DEAN SMITH, Applicant**

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**PERMIT NO. TCC-11877**  
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**DECLARATION OF JOSEPH DEAN SMITH**

STATE OF WASHINGTON )  
)  
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DEC. OF JOSEPH DEAN SMITH - 1  
20083

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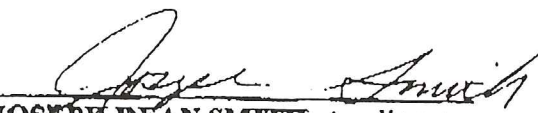
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5. My brother has not worked for my business in any capacity after I received the 7/18/00 Temporary Permit; I do not intend to employ him unless the restrictions in the permit are modified. If the Commission is concerned about the employer-employee relationship, I would be happy to register Jason Smith as a regular employee with the Department of Labor & Industries, and make regular reports of his income and hours worked. I would also agree to prepare and submit W-2 forms at the end of each calendar year.

DATED this 17<sup>th</sup> Day of October, 2000

  
JOSEPH DEAN SMITH, Applicant

DEC. OF JOSEPH DEAN SMITH - 2  
10083

STEPHEN D. CRAMER, P.L.L.C.  
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