0102

1 BEFORE THE WASHINGTON STATE

UTILITIES AND TRANSPORTATION COMMISSION

2 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

In re the application of ) Docket No.

3 ) TC-160324

SANI MAHAMA MAUROU, d/b/a SEATAC )

4 AIRPORT 24 )

)

5 For Reinstatement of Authority to )

Operate as an Auto Transportation )

6 Company and Charter and Excursion )

Carrier. )

7 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

In the Matter of the Investigation of ) Docket No.

8 ) TC-152296

SANI MAHAMA MAUROU d/b/a/ SeaTac ) (Consolidated)

9 Airport 24 )

)

10 For Compliance with WAC 480-30-221 )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

11 In the Matter of the Penalty ) Docket No.

Assessment Against ) TC-160187

12 ) (Consolidated)

SANI MAHAMA MAUROU d/b/a SEATAC )

13 AIRPORT 24 )

)

14 In the amount of $29,200 )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

15

BRIEF ADJUDICATIVE PROCEEDING, VOLUME II

16 PAGES 102 - 204

ADMINISTRATIVE LAW JUDGE RAYNE PEARSON

17 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1:31 p.m.

18 July 11, 2016

19 Washington Utilities and Transportation Commission

1300 South Evergreen Park Drive Southwest

20 Olympia, Washington 98504-7250

21 REPORTED BY: ANITA W. SELF, RPR, CCR #3032

22 Buell Realtime Reporting, LLC.

1325 Fourth Avenue, Suite 1840

23 Seattle, Washington 98101

206.287.9066 | Seattle

24 360.534.9066 | Olympia

800.846.6989 | National

25 www.buellrealtime.com

0103

1 A P P E A R A N C E S

2

ADMINISTRATIVE LAW JUDGE:

3

RAYNE PEARSON

4 Washington Utilities and

Transportation Commission

5 1300 So. Evergreen Park Drive SW

P.O. Box 47250

6 Olympia, Washington 98504

360.664.1136

7 rpearson@utc.wa.gov

8

FOR WASHINGTON UTILITIES AND

9 TRANSPORTATION COMMISSION:

10 ANDREW J. O'CONNELL

Attorney General of Washington

11 1400 S. Evergreen Park Dr. SW

Olympia, Washington 98504

12 360.664.1192

aoconnel@utc.wa.gov

13

FOR SANI MAUROU:

14

In Propria Persona

15

16 ALSO PRESENT:

17 Dave Pratt

18 Michael Turcott

19 Gloriose Sakubu-Rothrock, French Interpreter

20

\* \* \* \* \*

21

22

23

24

25

0104

1 HEARING

2 VOLUME II: INDEX

3

4 WITNESSES: PAGE

5

6 MICHAEL TURCOTT

Direct Examination by Mr. O'Connell. . . . . 126

7 Cross-Examination by Mr. Maurou. . . . . . . 155

8

DAVID PRATT

9 Direct Examination by Mr. O'Connell. . . . . 163

Cross-Examination by Mr. Maurou. . . . . . . 171

10

11 SANI MAHAMA MAUROU

Direct Testimony by Mr. Maurou . . . . . . . 183

12 Cross-Examination by Mr. O'Connell . . . . . 198

13

\* \* \* \* \*

14

15

16

17

18

19

20

21

22

23

24

25

0105

1 EXHIBIT INDEX

2

EXHIBITS FOR IDENTIFICATION MARKED/ADMITTED

3

MT-3 E-mail from SeaTac Airport Ground

4 Transportation Enforcement 5/24/16 134

5 MT-4 SeaTac Airport Transportation

Operator Records 137

6

MT-5 SeaTac Airport 24 website 5/26/16 153

7

MT-6 E-mail and attached picture from

8 SeaTac Airport Ground Transportation

Enforcement 6/20/16 140

9

MT-7 E-mail from City of Seattle Regulatory

10 Compliance and Consumer Protection

Department 148

11

MT-8 E-mail and attached pictures from SeaTac

12 Airport Ground Transportation Enforcement

6/28/16 144

13

MT-9 E-mail and attached pictures from City of

14 Seattle Regulatory Compliance and Consumer

Protection Department, 6/28/16 151

15

16 \* \* \* \* \*

17

18

19

20

21

22

23

24

25

0106

1 OLYMPIA, WASHINGTON; JULY 11, 2016

2 1:31 p.m.

3

4 P R O C E E D I N G S

5

6 JUDGE PEARSON: Okay. We can be on the

7 record.

8 Good afternoon. We are here today for a

9 Brief Adjudicative Proceeding on two matters. The first

10 is Docket TC-160324, which is captioned "In Re The

11 Application of Sani Mahama Maurou d/b/a SeaTac Airport

12 24 for Reinstatement of Authority to Operate as an Auto

13 Transportation Company and Charter and Excursion

14 Carrier."

15 The second is consolidated Dockets TC-160187

16 and TC-152296, which are both captioned "In the Matter

17 of the Investigation of Sani Mahama Maurou d/b/a SeaTac

18 Airport 24 for Compliance with WAC 480-30-221."

19 My name is Rayne Pearson. I'm an

20 administrative law judge presiding over today's brief

21 adjudicative proceeding, and today is Monday, July 11th,

22 2016, and the time is approximately 1:30 p.m.

23 So let's just begin by taking a brief

24 appearance from Commission Staff.

25 MR. O'CONNELL: Thank you, your Honor. My

0107

1 name is Andrew J. O'Connell, Assistant Attorney General,

2 representing Commission Staff. Seated next to me are

3 Mr. Mike Turcott and Mr. Dave Pratt from Staff.

4 JUDGE PEARSON: Okay. Thank you.

5 And Mr. Maurou, if you could just state your

6 name and spell your last name and give your address and

7 your phone number. Make sure to speak into the

8 microphone, please.

9 MR. MAUROU: My first name is Sani --

10 JUDGE PEARSON: I don't think your

11 microphone's on. Will you press the button? The red

12 light should come on.

13 MR. MAUROU: My name is Sani, first name

14 S-A-N-I, middle name is Mahama, M-A-H-A-M-A, and the

15 last name is Maurou, M-A-U-R-O-U, and I am the president

16 and CEO of SeaTac Airport 24, and as well I am also the

17 owner and operator.

18 JUDGE PEARSON: Okay. Can you give us your

19 address and phone number?

20 MR. MAUROU: Yes. My address is 1800 South

21 Jackson Street, Apartment 211, Seattle, Washington

22 98144.

23 JUDGE PEARSON: Phone number?

24 MR. MAUROU: Sorry.

25 JUDGE PEARSON: It's okay.

0108

1 MR. MAUROU: Phone number is (206) 319-7076.

2 JUDGE PEARSON: Okay. Thank you.

3 So on June 21st, 2016, the Commission issued

4 a Notice of Intent to Deny Application for Reinstatement

5 and Notice of Brief Adjudicative Proceeding, setting

6 time for oral statements in Docket TC-160324.

7 And that same day, Staff filed a motion to

8 impose suspended penalty and motion to consolidate

9 proceedings in consolidated Dockets TC-152296 and

10 TC-160187 to allow receipt of evidence necessary to

11 determine whether to impose the $20,000 penalty

12 suspended in Order 01 in those dockets.

13 So let's first address Staff's motion to

14 consolidate Docket TC-160324 with consolidated Dockets

15 TC-160187 and TC-152296.

16 MR. O'CONNELL: Okay. Thank you,

17 your Honor. I'm wondering if I could make a request

18 before I get into that.

19 JUDGE PEARSON: Sure.

20 MR. O'CONNELL: My request is that, if we

21 could have our interpreter introduce herself on the

22 record, and we could explain the scope of the

23 interpretation for today.

24 JUDGE PEARSON: Sure.

25 THE INTERPRETER: Thank you. My name is

0109

1 Gloriose Sakubu-Rothrock, and I am a French interpreter.

2 JUDGE PEARSON: Thank you.

3 MR. O'CONNELL: Okay. About the motion to

4 consolidate, Staff -- well, there are two issues being

5 presented today in all of these dockets. One of them is

6 whether to impose the $20,000 suspended penalty from

7 consolidated Dockets TC-152296 and TC-160187. Then the

8 other issue is whether to deny the application for

9 reinstatement for this company in Docket TC-160324.

10 All of the issues that -- all of the facts,

11 all the evidence, all the testimony that will be

12 received today all arise from the same facts and set of

13 circumstances, and they all arise from evidence that

14 Staff will present about the Company operating after its

15 authority to operate was cancelled.

16 So I guess, from Staff's point of view, this

17 is not a pre-judgment of any of the questions of fact,

18 but simply entertaining all of the testimony at one time

19 since all the testimony applies to both issues. And

20 that's why Staff makes the motion and requests that they

21 be consolidated.

22 JUDGE PEARSON: Okay. Mr. Maurou?

23 MR. MAUROU: Yes, your Honor. I did -- I

24 did send a copy of my request, and Mr. O'Connell --

25 sorry I'm having an issue with your name -- so I did

0110

1 send --

2 JUDGE PEARSON: Can you speak closer to the

3 microphone? The court reporter is having trouble

4 hearing. He was making a comment about being able to

5 pronounce Mr. O'Connell's name. It's not important.

6 MR. MAUROU: Your Honor, I made my request

7 and I did send a copy -- I did send a copy to

8 Mr. O'Connell, and I did send a copy also to the record

9 center and as well to Mr. David Pratt.

10 And on my request -- Request 6, if you

11 can -- you can read it -- in Request 6 -- in Request 6,

12 I honestly -- I was very, very concerned about that,

13 that consolidation of those two case. It does mean they

14 not advance the results --

15 JUDGE PEARSON: They what? Can you repeat

16 that?

17 MR. MAUROU: For me, my concern was those

18 two cases are different. They are not the same. And

19 when Mr. O'Connell -- Mr. O'Connell was trying to

20 consolidate those two cases, I just felt like he knows

21 in advance the result of this hearing, and it is like

22 (speaking French) --

23 JUDGE PEARSON: He's speaking in French.

24 MR. MAUROU (through interpreter): It's like

25 you have results already that are not there yet.

0111

1 MR. MAUROU: Okay. That's why I did not

2 object -- object -- I did object that -- that

3 proposition of Mr. O'Connell. I don't want those two to

4 be consolidated.

5 When he talks about time, I don't

6 understand, but the time is not more important than my

7 life.

8 So that's another thing. I am very, very

9 concerned the way UTC is doing business. UTC has a lot

10 of good people. When you call, you see professional,

11 they answer your question, they respect you, they trying

12 to help you. But I just felt like that there are a few

13 who are doing what they want to do. So I don't want

14 those two cases to be consolidated, period.

15 JUDGE PEARSON: Okay. So you're objecting

16 to --

17 MR. MAUROU: Yes.

18 JUDGE PEARSON: -- Mr. O'Connell's motion.

19 Okay. I note your objection.

20 However, I am going to grant Staff's motion

21 to consolidate these dockets because, as Mr. O'Connell

22 said, they do concern the same set of facts. There are

23 two different actions and two different decisions to be

24 made, but they all arise from the same set of facts, so

25 it doesn't make sense to hold two separate hearings to

0112

1 go through the same set of facts. It wouldn't be a good

2 use of our time or Commission resources, so I will grant

3 that motion.

4 So we will hear from parties on both of the

5 matters before us, the Commission's notice of intent to

6 deny the Company's application for reinstatement and

7 Commission Staff's motion to impose the suspended

8 penalty, and then I will issue a written order within

9 ten days reflecting my decision on those issues.

10 So when I call -- I'm sorry. Mr. O'Connell,

11 did you have something else?

12 MR. O'CONNELL: Yes, your Honor. I would

13 like to ask a procedural question before we get started

14 any further.

15 JUDGE PEARSON: Sure.

16 MR. O'CONNELL: Will we have an opportunity

17 to address the number of requests that Mr. Maurou has

18 made of Staff before we get into testimony?

19 JUDGE PEARSON: If you would like to, we

20 could do that.

21 MR. O'CONNELL: I think it would help

22 clarify --

23 JUDGE PEARSON: Okay.

24 MR. O'CONNELL: -- Staff's position as to

25 the requests.

0113

1 JUDGE PEARSON: Okay.

2 MR. O'CONNELL: On a number of the requests,

3 we ask for Staff to take certain actions, and I'd like

4 to present Staff's position on them.

5 JUDGE PEARSON: Okay. So I'm not sure I'm

6 clear on which set of requests you're talking about. I

7 did receive on Friday a set of questions directed at

8 Mr. Pratt. Is that what you're talking about, or is

9 there something additional that I'm not privy to?

10 MR. O'CONNELL: I do not think there's

11 anything additional that you're not privy to.

12 JUDGE PEARSON: Okay.

13 MR. O'CONNELL: There was a set of six

14 requests. It was entitled to the Washington State

15 Utilities Commission with an attention to your Honor.

16 And so I think that you should have received all six of

17 the requests.

18 JUDGE PEARSON: Were they the --

19 MR. O'CONNELL: And then there was an

20 additional questionnaire, which I think you're referring

21 to.

22 JUDGE PEARSON: And I didn't see the list of

23 requests; I only saw the questionnaire.

24 MR. MAUROU: I have a copy here.

25 JUDGE PEARSON: Okay. If you want to bring

0114

1 that to me.

2 MR. O'CONNELL: Mr. Maurou, can I see to

3 make sure? This is a copy of the six requests that I'm

4 referring to.

5 JUDGE PEARSON: Okay.

6 MR. MAUROU: The six --

7 JUDGE PEARSON: And I'm sorry I didn't get a

8 copy of this in advance, but it didn't come through.

9 Okay. Okay. I've read through it. So if

10 you'd like to address those now.

11 MR. O'CONNELL: Thank you, your Honor.

12 So Brief Adjudicative Proceedings, or BAPs,

13 they're not full adjudicative proceedings here at the

14 Commission with months of discovery and numerous

15 exhibits. Discovery requests are unusual in this

16 context because discovery rules haven't been made

17 available to any party, and everything in a BAP is

18 presented at the hearing.

19 The procedures for submitting evidence and

20 exhibits in these cases is explained clearly in the

21 Commission's order setting the BAP, and the order

22 usually states that parties wishing to introduce

23 exhibits must submit an exhibit list, and usually that's

24 a week before the BAP is set.

25 In this case, the Company made a number of

0115

1 requests of Staff last week. I received on July 6 and

2 July 8 -- and I say that because they were received

3 after hours on the day before that. So the first time

4 that Staff would have seen these requests was on

5 July 6th and then on July 8th.

6 Staff believes the best resolution is to

7 address these requests at this hearing, since the nature

8 of a BAP is to have questions presented at the BAP.

9 So the Company requested in its first

10 request and in its second, number 1 and number 2, that

11 Mr. Pratt and another staff member, that Staff believes

12 to be Mr. Turcott, be made available as witnesses.

13 As all parties in this case should know,

14 both these individuals are already listed on Staff's

15 exhibit list as witnesses that would testify today.

16 Regardless, they'll both be available for Mr. Maurou to

17 ask questions of in cross-examination.

18 His fourth request, the Company asked for

19 Mr. Pratt's educational background. Staff believes this

20 will be covered through Mr. Pratt's testimony today, and

21 so Mr. Maurou would have an opportunity to ask him

22 questions, I guess, about Mr. Pratt's educational

23 background.

24 So Staff believes it has, therefore,

25 complied with all of the Company's legitimate requests.

0116

1 There are two others that I'd like to address, and it's

2 request number 5 in the questionnaire that Mr. Maurou

3 sent out.

4 Request number 5 requests that Staff sign a

5 consent form to allow the Company to investigate

6 Mr. Pratt and interrogate any employee of the UTC. And

7 the Company also submitted a questionnaire for Staff

8 with a number of, frankly, inappropriate questions.

9 Staff objects to both the consent form and

10 the submitted questionnaire because they are

11 inappropriate and improper and not relevant to this

12 hearing. But they are clearly meant to -- well, I'll

13 stop there about the intention of those requests because

14 I do not know the intent. But suffice it to say that

15 they are not -- they do not lead into -- aid in the

16 resolution of the issues presented before the Commission

17 as to the Company's actions.

18 Now, to the extent that any questions are

19 not inappropriate or improper, Staff's position is that

20 they could be asked of Mr. Pratt and Mr. Turcott on

21 cross-examination as long as they are relevant to the

22 case.

23 Thank you, your Honor.

24 JUDGE PEARSON: Okay. Thank you.

25 Mr. Maurou, do you want to respond to that?

0117

1 MR. MAUROU: Yes. Mr. O'Connell --

2 JUDGE PEARSON: So make sure to speak into

3 the microphone, and you're going to be responding to me,

4 not to Mr. O'Connell. So just let me know what your

5 response is.

6 MR. MAUROU: Okay. Your Honor,

7 Mr. O'Connell just said that all of my requests, there

8 are some -- all my requests are not appropriate when

9 concerning relationship with this case.

10 JUDGE PEARSON: So he just said that -- hold

11 on a second. He just said that about request number 5,

12 so that's all we're talking about right now is request

13 number 5 and the list of questions. That's what he said

14 was inappropriate. He's fine with 1 through 4. Those

15 have been addressed or will be addressed.

16 MR. MAUROU: So he said number 5, right?

17 JUDGE PEARSON: Yes.

18 MR. MAUROU: Okay. All right. Why --

19 why -- I'll just stick with number 5 that he's saying is

20 not prepared.

21 Why I am requesting, because I have a high

22 doubt about Mr. Pratt, David Pratt, and I will go

23 through all what happened when it comes to Mr. Pratt,

24 David Pratt, on relationship with my person and with my

25 company. And there are a lot of bad things and I have

0118

1 ton of proof.

2 But I am -- I am very patient person and

3 usually that help me a lot. I -- I was watching -- I

4 was, like, watching very closely, but I don't jump to

5 the conclusion easily. I am patient. I keep watching

6 until the end. And then when I jump, I know what I am

7 talking.

8 So if I request number 5, why? I don't need

9 it personally, but where we are at this stage, I will

10 need it to go through -- to be able to have what I

11 really need. That's why I did request it. I didn't do

12 it because I just want to do it.

13 We are talking about something very serious,

14 and we need things that we need. So I don't think it

15 is -- it can be called inappropriate at this time. And

16 I am having a lot of concern at this time about

17 Mr. David Pratt. That's why I'm asking even his

18 educational background, because I'm trying to know

19 who -- honestly, I'm lost. To be honest, I'm lost.

20 So I need all those informations. It's not

21 something that I'm trying to -- I need it. I need them.

22 I need them. Even this form, I have another form, and I

23 did send to Mr. Pratt to fill this form. I will bring

24 it to you, your Honor.

25 I did send this form to Mr. Pratt to fill

0119

1 out. He did not. And then I did receive the

2 last-second e-mail from Mr. O'Connell saying that, if

3 there's anything, I need to address to him as he's

4 representing the Staff.

5 So Mr. O'Connell knows about this form and

6 he has it. Mr. Pratt didn't fill this. Even

7 Mr. O'Connell go and encouraged him to not fill it out,

8 so it is very disgusting. I'm going to give you this

9 form, your Honor.

10 JUDGE PEARSON: I have a copy of it. It's

11 okay. And --

12 MR. MAUROU: So I'm not -- I am not kidding.

13 I am serious about what I'm asking. So he should sign

14 it, if he can right now, and give it to me.

15 JUDGE PEARSON: Okay. Thank you,

16 Mr. Maurou.

17 Did you have anything else to say?

18 MR. O'CONNELL: Yeah. I think -- I think I

19 forgot to say one thing, and that's just that all the

20 questions Mr. Maurou asked, if they are relevant to the

21 case, I believe he can ask Mr. Pratt when Mr. Pratt

22 testifies, and we can deal with the questions that

23 Mr. Maurou asks at that time.

24 JUDGE PEARSON: I agree with you.

25 And Mr. Maurou, as Mr. O'Connell was

0120

1 explaining, this is a Brief Adjudicative Proceeding, so

2 the discovery rules were not available to the parties.

3 That's why Mr. Pratt didn't respond to what I can only

4 label as a data request, because that type of exchange

5 wasn't available to the parties in this proceeding.

6 So Mr. O'Connell is correct that, to the

7 extent that you need those questions answered, you're

8 welcome to ask them on cross-examination, at which point

9 I expect Mr. O'Connell will object because they are not

10 relevant to the proceeding that's here before us today.

11 So I am going to agree with Mr. O'Connell

12 with respect to request number 5. It's not appropriate,

13 it's not relevant to this proceeding. This is about

14 your company and the conduct of your company, not

15 Mr. Pratt's character or background. So I'm just going

16 to put an end to that right now. Okay?

17 MR. MAUROU: Yes, your Honor. Can I say

18 something?

19 JUDGE PEARSON: Briefly.

20 MR. MAUROU: I will go through it, but I

21 don't want to rush. Why? Because Mr. David, he's here,

22 I will ask him those questions, so I'm not going to

23 rush. At this point, I do not trust Mr. David to be

24 honest and frankly. Why? Mr. David has been, since

25 last year, behind my company. We have three -- I have

0121

1 talked to Mr. David three times on the phone. I don't

2 know him.

3 JUDGE PEARSON: Okay. You'll have a chance

4 to present your testimony.

5 MR. MAUROU: I know --

6 JUDGE PEARSON: Can you stop talking,

7 please? You'll have a chance to present your

8 testimony --

9 MR. MAUROU: Okay.

10 JUDGE PEARSON: -- and we can get into that

11 a little bit later. But I want to explain how this is

12 going to proceed today. Okay? And when it's your turn

13 to talk, I want to swear you in before you give your

14 testimony so that everything that you say can be

15 considered sworn testimony.

16 MR. MAUROU: Thank you, your Honor.

17 JUDGE PEARSON: So I was going to have Staff

18 go first today because Staff initiated the enforcement

19 actions, and then once Staff is done, Mr. Maurou, you

20 can, as Mr. O'Connell noted, ask questions of Staff, and

21 after that you can present your testimony, and then

22 Mr. O'Connell will probably have questions for you as

23 well.

24 Okay?

25 MR. MAUROU: Yes.

0122

1 JUDGE PEARSON: So did you have any other

2 questions before we get started?

3 MR. MAUROU: Yes, your Honor.

4 JUDGE PEARSON: Just about the process?

5 MR. MAUROU: Right. For procedure, this

6 exhibit (speaking French) --

7 (Through interpreter) For the procedure,

8 these papers, these documents, they came later. Then

9 when it arrived, when I received it, they said it was an

10 adding on the document they received before.

11 It is UTC that comes behind my back to

12 attack me. I am not attacking UTC. I don't think I can

13 do it. Why didn't they include this package with the

14 first one they received? Where did they receive this

15 package then? I didn't have enough time to read this.

16 I didn't have time to read this. These papers, where

17 did they got them? I don't know.

18 JUDGE PEARSON: Mr. Maurou -- Mr. O'Connell,

19 can you give me some information about when these were

20 delivered to Mr. Maurou and by what mechanism? Were

21 they sent electronically?

22 MR. O'CONNELL: Sure. The exhibit list --

23 Staff's exhibit list -- there's two copies, one for

24 Docket TC-152296 and one for Docket TC-160324 -- the

25 exhibit lists were ordered by the Commission to be

0123

1 submitted by the end of business on July 5th. Staff

2 complied with that order submitting an exhibit list

3 describing the exhibits that it would present today at

4 hearing.

5 Staff followed that order, and this morning

6 Staff presented those exhibits to your Honor and

7 Mr. Maurou in accordance with the order that the

8 Commission sent out requesting that Staff bring an

9 original and three copies to the hearing.

10 JUDGE PEARSON: Okay. So Mr. Maurou, what

11 we'll do is, as Mr. O'Connell introduces each exhibit,

12 I'll give you a moment to look it over to see if you

13 have any objection, and then we'll move forward. So

14 I'll make sure you have adequate time to look over each

15 exhibit when we get to that.

16 Okay?

17 MR. MAUROU: Yes, your Honor. But my

18 concern was that they did not submit this on time.

19 JUDGE PEARSON: But they weren't required

20 to. Did you hear what Mr. O'Connell said? What they

21 did submit on time was a list describing the exhibits,

22 and he was not required to do anything other than that.

23 MR. MAUROU: Yes, your Honor. Even the

24 list, when you look at my e-mail, my e-mail, it did come

25 after 5th, so they did send it, I think, 6 -- 6 of July,

0124

1 so it is after 6 -- after 5th. So I do not want this

2 list to be considered.

3 JUDGE PEARSON: Okay. I'm going to take the

4 exhibits up one at a time, like I said, and I will rule

5 on them individually as they're offered into evidence,

6 and I will make sure to give you adequate time to look

7 each one over.

8 So with that, Mr. O'Connell, you can proceed

9 when you're ready.

10 MR. O'CONNELL: Thank you, your Honor. If I

11 could, I'd like to make a very brief opening statement

12 to give context --

13 JUDGE PEARSON: Sure.

14 MR. O'CONNELL: -- for the evidence

15 presented today.

16 JUDGE PEARSON: Sure.

17 MR. O'CONNELL: This case today is not

18 overly complicated. The Company's authority to operate

19 was cancelled. The Company continued to operate. We're

20 here because of the Company's action.

21 The Company's authority was cancelled on

22 March 8th, 2016, for safety reasons. Staff will present

23 evidence today of trips after March 8, 2016, trips to

24 the airport, continued advertising, and an offer that

25 was made to Staff.

0125

1 The Company has not been forthcoming with

2 the Commission in Staff's opinion. Staff will present

3 evidence that the Company has multiple drivers that were

4 undisclosed to Staff during its compliance investigation

5 earlier this year. This raises a host of concerns

6 regarding the Company. Ultimately, it appears the

7 Company is either unable or unwilling to abide by the

8 Commission's rules and orders.

9 Now, I expect that the Company is going to

10 try to shift some of this blame to Staff for essentially

11 doing its job and discovering the Company's bad actions.

12 This hearing is not for attacking Staff. It's for

13 determining whether the Company continued to operate

14 after having its authority cancelled, and whether the

15 Company's application for reinstatement should be

16 denied. Everything outside of that scope is irrelevant.

17 Staff would ask at this time that your Honor

18 take official notice of Commission Orders 01 and 02 in

19 the consolidated Dockets TC-152296 and TC-160187. I

20 also have copies of those orders. They've been marked

21 for identification as Exhibits MT-1 and MT-2.

22 Thank you, your Honor.

23 JUDGE PEARSON: Okay. I will take official

24 notice of both of those orders.

25 And Mr. Maurou, those were the orders that

0126

1 were issued in the previous dockets back in March, and

2 then the subsequent order that was the final order that

3 adopted the payment plan, I believe, for the penalty

4 amount.

5 MR. MAUROU: Um-hmm.

6 JUDGE PEARSON: Okay. Go ahead.

7 MR. O'CONNELL: With that, your Honor, Staff

8 would like to call Mr. Turcott to testify.

9 JUDGE PEARSON: Okay. Mr. Turcott, if you

10 could please stand and raise your right hand.

11

12 MICHAEL TURCOTT, witness herein, having been

13 first duly sworn on oath,

14 was examined and testified

15 as follows:

16

17 JUDGE PEARSON: Okay. Go ahead and be

18 seated.

19 \*\*\* DIRECT EXAMINATION BY MR. O'CONNELL \*\*\*

20 BY MR. O'CONNELL:

21 Q. Would you please state your name and spell it

22 for the record?

23 A. Yes. Michael Turcott, T-U-R-C-O-T-T.

24 Q. And what is your occupation?

25 A. I am a compliance investigator with the

0127

1 Washington Utilities and Transportation Commission

2 working in the transportation safety unit.

3 Q. And how long have you been employed by the

4 Commission?

5 A. For approximately nine months.

6 Q. What did you do before your employment with the

7 Commission?

8 A. I worked for 28 years as a commissioned officer

9 with the Washington State Patrol, holding a variety of

10 assignments. After retiring from the State Patrol, I

11 worked at the Department of Licensing for a year and a

12 half managing the fraud investigation unit before coming

13 to work at the Commission.

14 Q. So are you familiar with conducting

15 investigations and investigation techniques?

16 A. Yes, I am.

17 Q. What are your duties here at the Commission?

18 A. Two primary duties, one of which is to identify

19 transportation companies that we believe may be

20 operating without the required UTC authority, to provide

21 technical assistance to those companies, encourage them

22 to become compliant and licensed for the benefit of all,

23 particularly the traveling public, and in some cases

24 follow up with those companies with further

25 investigation or enforcement action. And the other part

0128

1 of my job is to work with field staff, follow-up

2 compliance reviews and draft documents related to

3 penalty assessments.

4 Q. How were you involved in the matters concerning

5 SeaTac Airport 24?

6 A. I was initially involved with drafting the

7 penalty assessment at the beginning of this year

8 following the compliance review in December.

9 Q. Are you familiar with both the investigation of

10 the Company's safety rating and its application for

11 reinstatement?

12 A. Yes, I am.

13 Q. And are you familiar with both Order 01 and

14 Order 02 from Docket TC-152296?

15 A. Yes.

16 Q. Have you read both of those orders?

17 A. I have.

18 Q. So are you aware of the cancellation of the

19 Company's certificate as an auto transportation and

20 charter and excursion carrier?

21 A. Yes.

22 Q. When was the Company's certificate cancelled?

23 A. March 8, 2016.

24 Q. And are you familiar with the suspended penalty

25 contained in the final order, Order 02, from that case?

0129

1 A. Yes, I am.

2 Q. What was the amount of the suspended penalty?

3 A. The amount of the suspended penalty is $20,000.

4 Q. After March 8th, 2016, did you investigate

5 whether this company abided by the Commission's cease

6 and desist order?

7 A. Yes, I did.

8 Q. What did you do as part of your investigation?

9 A. As in all investigations, we cover a variety of

10 areas, one of which was to monitor internet advertising

11 of the Company, to communicate with other regulatory

12 entities, SeaTac Airport or the City of Seattle or King

13 County, and finally to attempt to book a trip with the

14 Company.

15 Q. And did you attempt to -- you did attempt to

16 book a trip with this company?

17 A. Yes, I did.

18 Q. Okay. I want to come back to that in just a

19 moment.

20 You mentioned that there were a number of

21 entities in the community that you communicated with.

22 Who contacted Staff with information about the

23 operations of this company?

24 A. We were contacted both by SeaTac Airport Ground

25 Transportation Enforcement, as well as the City of

0130

1 Seattle Consumer Protection Unit that handles for-hire

2 transportation within the city limits.

3 Q. Okay. I'd like to direct your attention to the

4 document that has been marked as Exhibit MT-3 for

5 identification.

6 Will you please identify this document?

7 A. Yes. This is an e-mail that originated from

8 Steve Brown, Senior Ground Transportation Enforcement

9 Agent at SeaTac Airport, asking Commission Staff about

10 the certificate authority -- current authority held by

11 SeaTac Airport 24.

12 Q. And have you reviewed this document as part of

13 your investigation?

14 A. Yes.

15 Q. Is this copy a true and accurate reproduction of

16 the document that you viewed?

17 A. Yes, it is.

18 Q. How does this document relate to your

19 investigation?

20 A. Well, this was the first -- the first time Staff

21 had been alerted that the Company actually was operating

22 during its period of suspension.

23 Q. Okay. What about this e-mail raised a red flag

24 to you when you read it?

25 A. Well, the -- Mr. Brown states that one of his

0131

1 staff members responded to a verbal dispute between a

2 passenger and a driver for SeaTac Airport 24 concerning

3 the fare. And they were not to be operating, and

4 Mr. Brown was inquiring if their authority had been

5 reinstated.

6 And he also indicated that he checked their

7 electronic tracking system they have at the airport. It

8 tracks for-hire vehicles through transponders that come

9 and go, and he indicated that it appeared that they

10 started operating again in April.

11 Q. Okay. I'd like to come back to that.

12 MR. O'CONNELL: Your Honor, at this time

13 Staff offers Exhibit MT-3.

14 JUDGE PEARSON: Mr. Maurou, have you had a

15 chance to look that over? I can give you a moment. It

16 will be the third document. I think you're almost

17 there. Is that an e-mail right there?

18 MR. MAUROU: Yes.

19 JUDGE PEARSON: Okay. So that's what you'll

20 want to take a look at.

21 MR. MAUROU: So can I ask questions or do I

22 have to wait?

23 JUDGE PEARSON: You can ask a clarifying

24 question if you're not clear about what the document is

25 showing, but you can't ask questions about the content

0132

1 just yet.

2 MR. MAUROU: Okay. Mr. Mark -- so Mark, you

3 said --

4 JUDGE PEARSON: So --

5 MR. O'CONNELL: Your Honor --

6 JUDGE PEARSON: Mr. Maurou, do you have a

7 question about the document? You can't ask him a

8 cross-examination question at this time. His name is

9 Mr. Turcott.

10 MR. MAUROU: Mr. Turcott. Okay.

11 JUDGE PEARSON: So do you have a question

12 about the document?

13 MR. MAUROU: Yes. It came from Michael,

14 UTC. Okay. Okay. So if I understand, Mr. Michael was

15 contacted by Airport SeaTac -- by SeaTac Airport, right?

16 JUDGE PEARSON: A different Mike, Mike

17 Dotson.

18 MR. MAUROU: Mike Dotson?

19 JUDGE PEARSON: Not this Mike. Our former

20 licensing division.

21 MR. MAUROU: Okay. And why I'm asking that

22 question, they've been telling me SeaTac Airport

23 contacted them or they contact SeaTac Airport? I don't

24 really know what's going on.

25 JUDGE PEARSON: So this is showing that

0133

1 SeaTac Airport contacted UTC staff to inquire about the

2 status of your permit.

3 And what I need to know is if you have any

4 objection to admitting this into evidence.

5 MR. MAUROU: For now, no, your Honor.

6 JUDGE PEARSON: You don't have any

7 objection?

8 MR. MAUROU: No. No. For now.

9 JUDGE PEARSON: Okay. Well, this is your

10 only opportunity to, and you can certainly ask questions

11 about it later, but --

12 MR. MAUROU: My concern here is UTC has

13 called SeaTac Airport to get information, or SeaTac

14 Airport called UTC to get information, and when --

15 JUDGE PEARSON: Okay. Well, you will have

16 an opportunity to answer that question -- to ask that

17 question later when it's your turn for

18 cross-examination. I just need to know about this

19 document. It sounds like you don't have any objection.

20 MR. MAUROU: No, I don't, your Honor. This

21 e-mail --

22 JUDGE PEARSON: Okay.

23 MR. MAUROU: -- I don't -- I have nothing to

24 say about it.

25 JUDGE PEARSON: Okay. So I will admit that

0134

1 and mark it as Exhibit MT-3.

2 (Exhibit No. MT-3 was marked and

3 admitted into evidence.)

4 MR. O'CONNELL: Thank you, your Honor. May

5 I continue with Mr. Turcott?

6 JUDGE PEARSON: Absolutely.

7 BY MR. O'CONNELL:

8 Q. Mr. Turcott, did SeaTac Airport Ground

9 Transportation Enforcement send you any more

10 documentation of the Company making trips to the

11 airport?

12 A. Yes, they did.

13 Q. What documentation did they provide?

14 A. They provided a four-page printout of dates and

15 times describing the traffic of the Company's vehicles

16 into the airport area.

17 Q. Okay. To make sure that we're all on the same

18 page, I'd like to direct your attention to the document

19 that has been marked as Exhibit MT-4 for identification.

20 MR. O'CONNELL: I believe Mr. Maurou has

21 that in his packet as well so that we can all be looking

22 at it as you explain.

23 BY MR. O'CONNELL:

24 Q. Mr. Turcott, will you please identify this

25 document?

0135

1 A. This was -- yes, this was an e-mail attachment

2 received from SeaTac. It says Seattle-Tacoma

3 International Airport Transactions by Date, Account

4 SeaTac Airport 24. It lists dates and times and vehicle

5 descriptions, either SeaTac Airport 24 1 or 2, referring

6 to vehicles 1 or 2 on the account, dates and times that

7 they were checked in by transponder on the upper drive,

8 or in one case attempted access to the south gated lot,

9 which we're not able to get into. I believe there are

10 24 trips within this time period.

11 Q. And have you reviewed this document as part of

12 your investigation?

13 A. Yes.

14 Q. Is this copy a true and accurate representation

15 of the document that you viewed?

16 A. Yes, it is.

17 Q. Now, what did you learn from these records that

18 SeaTac Airport Ground Transportation Enforcement sent

19 you?

20 A. I learned not only was the Company operating,

21 but it was operating on a consistent basis. The first

22 entry is April 9th all the way through -- well, the date

23 that they e-mailed us, May 24th, 24 trips.

24 Q. And why are all of these trips concerning to

25 Staff?

0136

1 A. Well, they're concerning because the Company was

2 not to be operating, it did not have operating

3 authority, and that raises all sorts of issues and

4 concerns with the safety to the traveling public. We

5 know that a company that operates within regulation has

6 all sorts of compliance in place with safety

7 regulations, and that everyone benefits from that,

8 especially the traveling public.

9 Q. After you received these records -- let me pause

10 and come back to that.

11 MR. O'CONNELL: Your Honor, at this time

12 Staff offers Exhibit MT-4.

13 JUDGE PEARSON: And Mr. Maurou?

14 MR. MAUROU: I do not accept this document.

15 This document is garbage. It's garbage. Anybody can --

16 anybody can write this. And I will have to explain, and

17 I don't know how to explain everything because of time

18 and all those thing, you know.

19 JUDGE PEARSON: Mr. Maurou, I just need to

20 know --

21 MR. MAUROU: Yes.

22 JUDGE PEARSON: I hear your objection, so

23 you'll have an opportunity to -- you need to stop

24 talking while I'm talking.

25 MR. MAUROU: Okay.

0137

1 JUDGE PEARSON: You'll have an opportunity

2 to present your testimony and tell your side of the

3 story.

4 MR. MAUROU: Because --

5 JUDGE PEARSON: It's just not now.

6 MR. MAUROU: Okay. Because I just want to

7 make sure I don't miss the opportunity.

8 JUDGE PEARSON: You will not.

9 MR. MAUROU: I object. First, they do not

10 have legal authority to do that. Mr. O'Connell, you

11 know that. You went to law school. You cannot do that.

12 This is serial murder. It's not criminal -- it not

13 criminal. Why you doing this -- all these things? It's

14 illegal. You know that --

15 JUDGE PEARSON: Mr. Maurou --

16 MR. MAUROU: -- more than me. You cannot do

17 this.

18 JUDGE PEARSON: Mr. Maurou, I will note your

19 objection. However, I am going to overrule it --

20 MR. MAUROU: Okay.

21 JUDGE PEARSON: -- and I'm going to admit

22 this and mark it as Exhibit MT-4.

23 (Exhibit No. MT-4 was marked and

24 admitted into evidence.)

25 JUDGE PEARSON: And Mr. O'Connell, you can

0138

1 proceed.

2 MR. O'CONNELL: Thank you.

3 BY MR. O'CONNELL:

4 Q. Mr. Turcott, did you have any more interaction

5 with Ground Transportation Enforcement about this

6 company?

7 A. I received -- yes, I did. I received two more

8 communications from the company.

9 Q. When did they communicate with you and how did

10 they communicate with you?

11 A. It was by e-mail. I received a second e-mail

12 from Mr. Brown on June 20th.

13 Q. Okay. I'd like to direct your attention to the

14 exhibit that's been marked as Exhibit MT-6 for

15 identification. That is MT-6 for identification.

16 Will you please identify that document?

17 A. Yes. This is an e-mail from Steve Brown at

18 SeaTac Ground Transportation to myself, dated June 20th.

19 Q. And were there pictures attached to this e-mail?

20 A. Yes, and two pictures attached.

21 Q. Are the pictures included here with this

22 document those same pictures that were attached to the

23 e-mail?

24 A. Yes.

25 Q. And have you reviewed this e-mail and pictures

0139

1 as part of your investigation?

2 A. Yes.

3 Q. Is this a true and accurate copy of the e-mail

4 and the pictures that you viewed?

5 A. Yes, it is.

6 Q. What, if anything, in this e-mail raised a red

7 flag to Staff?

8 A. Well, in addition to the trips documented by the

9 transponder, this is another report -- the e-mail reads,

10 referring to SeaTac Airport 24, "Dropped off one woman

11 passenger at door 12. I did see her thank and tip

12 Sani." And then there's a photo, virtually the same

13 photo, and they're not very clear on the black and white

14 copy that I have, but there's two people behind the van,

15 one person walking away with a suitcase headed to a

16 light, and just, again, it appears that the Company's

17 transporting passengers.

18 MR. O'CONNELL: Your Honor, Staff offers

19 Exhibit MT-6.

20 JUDGE PEARSON: Okay. Mr. Maurou, do you

21 have any objection to this exhibit?

22 MR. MAUROU: What about the MT-5?

23 JUDGE PEARSON: We'll come back to that. I

24 think that Mr. O'Connell's not at that point yet.

25 MR. MAUROU: MT-6. You see all the

0140

1 pictures? I don't know what to see. I don't think how

2 this will be acceptable. I don't accept those pictures.

3 JUDGE PEARSON: Okay. So I'm going to

4 overrule your objection and admit MT-6 into evidence.

5 (Exhibit No. MT-6 was marked and

6 admitted into evidence.)

7 JUDGE PEARSON: And Mr. Maurou, you will

8 again have an opportunity to address those photos and

9 say anything that you want to about them when it's your

10 turn. Okay?

11 MR. MAUROU: Okay.

12 JUDGE PEARSON: Go ahead, Mr. O'Connell.

13 MR. O'CONNELL: Thank you, your Honor.

14 BY MR. O'CONNELL:

15 Q. I'd like to direct your attention, Mr. Turcott,

16 to the document that's been marked as Exhibit MT-8 for

17 identification. And I apologize for jumping around on

18 the exhibit list. The exhibit list is arranged

19 chronologically, and I believe it's more effective to

20 deal with them on the topics.

21 So if I could direct your attention to the

22 exhibit that's been marked as Exhibit MT-8. Will you

23 please identify this document?

24 A. Yes. This is the third e-mail to me from Steve

25 Brown at SeaTac Ground Transportation Enforcement.

0141

1 Q. And were there pictures attached to this e-mail?

2 A. Yes, two pictures attached.

3 Q. And are the pictures included here with this

4 document those same pictures that were attached to the

5 e-mail?

6 A. Yes.

7 Q. Have you reviewed these e-mail pictures as part

8 of your investigation?

9 A. Yes, I have.

10 Q. Are these true and accurate copies of the e-mail

11 and pictures that you viewed?

12 A. Yes.

13 Q. So looking at the pictures contained in Exhibit

14 MT-8, were you able to make out the license plate

15 numbers of the vans?

16 A. Yes, I was.

17 Q. And what is the license plate number?

18 A. They're a little blurry, B24445Y and B, I

19 believe it's 56765Y [sic].

20 Q. Did you look up these license plate numbers?

21 A. Yes, I did.

22 Q. How did you look them up?

23 A. Through the Department of Licensing records.

24 Q. And who are these vans registered to?

25 A. B66765Y and B24445Y are both registered to Sani

0142

1 Maurou.

2 Q. Can you see any markings on the vans in these

3 pictures?

4 A. Yes.

5 Q. And what do they say?

6 A. SeaTac Airport 24 on the hood and on the sides

7 and company phone numbers and web addresses.

8 Q. So does the e-mail and attached pictures cause

9 concern to Staff?

10 A. Yes.

11 Q. Why?

12 A. Well, again, here's, on the same day, two

13 additional trips, two vans operating. In addition, the

14 SeaTac Ground Transportation staff visited with the

15 drivers and learned their names, and provided the names

16 in the e-mail, Ahmed Adam and Hafton Tafere, and these

17 are not drivers we're familiar with.

18 And of concern to Staff is the previous

19 compliance review and penalty assessment with the

20 Company that documented drivers operating without

21 medical certificates, without driver qualification

22 files, et cetera. All of these violations put the

23 traveling public at risk, and now here's the Company

24 operating during a period of suspension with drivers

25 about whom we know nothing.

0143

1 Q. During the compliance review that Staff

2 conducted, did Mr. Maurou or the Company -- did the

3 Company produce a driver file for either of these

4 drivers?

5 A. Going from memory, I don't believe they did.

6 Q. Would Staff have expected the Company to have a

7 driver file for each driver that it employs?

8 A. Yes, it's a requirement.

9 Q. And is that required by Commission rule?

10 A. Yes, it is.

11 Q. Do you recall whether the Commission's final

12 order, that's Order 02 in Docket TC-152296, required the

13 Company to have no more safety violations as a condition

14 for the suspension of the $20,000 penalty?

15 A. That's correct, it did.

16 MR. O'CONNELL: Your Honor, at this time

17 Staff offers Exhibit MT-8.

18 JUDGE PEARSON: Mr. Maurou, have you had an

19 opportunity to look at that second e-mail and set of

20 photos? I don't know if that's -- it doesn't look

21 like -- it might be one past that. I assume you have

22 the same objection as you did to the others?

23 MR. MAUROU: Honestly, frankly, your Honor,

24 I don't know what to say about these pictures and all

25 the -- what -- or what they're giving me here. And I

0144

1 give them all my paperwork. I am -- I have all the

2 paperwork you requested, your Honor, to give them. I

3 give them. Mr. David is here. He has all my paperwork.

4 I have everything. So why -- why he's -- I want to

5 know.

6 JUDGE PEARSON: Okay. Mr. Maurou, you'll

7 have an opportunity to ask that. I just need to rule on

8 this particular exhibit, and I assume that you object to

9 it --

10 MR. MAUROU: Okay.

11 JUDGE PEARSON: -- just like you --

12 MR. MAUROU: I accept nothing here. Once

13 again, this is kind of garbage.

14 JUDGE PEARSON: Okay.

15 MR. MAUROU: I'm sorry. I'm sorry.

16 JUDGE PEARSON: Mr. Maurou, I'm going to

17 overrule your objection, and I will admit that into

18 evidence and mark it as Exhibit MT-8.

19 (Exhibit No. MT-8 was marked and

20 admitted into evidence.)

21 JUDGE PEARSON: And you can go ahead,

22 Mr. O'Connell.

23 BY MR. O'CONNELL:

24 Q. Mr. Turcott, besides SeaTac Ground

25 Transportation Enforcement, did any other entity contact

0145

1 Staff with information about the operations of this

2 company?

3 A. Yes.

4 Q. Who?

5 A. The City of Seattle Regulatory Compliance and

6 Consumer Protection Unit, Street Enforcement Team, they

7 handle for-hire vehicles within the City of Seattle.

8 Q. And what information did the Seattle Regulatory

9 Compliance and Consumer Protection Department share with

10 Staff?

11 A. Well, initially it was an inquiry about SeaTac

12 Airport's auto transportation authority. The vehicle

13 had been seen on Alaskan Way in front of the Victorian

14 Clipper soliciting transportation. And the question

15 posed to Staff was, is this within their certificate of

16 authority? Because the assumption was that there were

17 three distinct routes that the Company was allowed to

18 run, the Westin Hotel and a couple other hotels or

19 casinos in the Puget Sound area, directly to SeaTac, and

20 this would have been outside of their certificate.

21 Q. Okay. So that we're all talking about the same

22 thing, I'd like to direct your attention to the exhibit

23 that's been marked for identification as Exhibit MT-7.

24 MT-7.

25 Will you please identify this document?

0146

1 A. Yes. This is the e-mail from Tolley Sualoa with

2 the City of Seattle to me, dated June 25th.

3 Q. Is this the communication that you were just

4 referencing?

5 A. Yes.

6 Q. And have you reviewed these e-mails as part of

7 your investigation?

8 A. Yes.

9 Q. Is this a true and accurate copy of the e-mail

10 that you received?

11 A. Yes, it is.

12 Q. What did Mr. Sualoa convey to Staff?

13 A. That the Company had a van in the area of the

14 Victoria Clipper on the waterfront soliciting passengers

15 for the airport. The Company was able to round up ten

16 passengers, including two of the City's undercover

17 inspectors. It made a number of stops at various

18 airports [sic], eventually going to -- a number of stops

19 at hotels on the way to the airport, eventually

20 delivering the group to the airport.

21 Q. Okay. So what, if anything, in the e-mail

22 raises a red flag to Staff?

23 A. Well, a number of things. Not only was the

24 Company operating during a period of cancellation, it

25 was -- if the certificate had been in effect, the

0147

1 Company was operating outside of its auto transportation

2 authority.

3 Q. Okay. I want to ask particularly about these

4 trips from the waterfront.

5 What was the scope of the Company's authority to

6 operate prior to the Company's cancellation of its

7 authority?

8 A. Under its auto transportation certificate, the

9 Company was allowed to provide non-stop scheduled

10 passenger service between the Westin Hotel and SeaTac

11 Airport; also allowed to provide the same transportation

12 between the Snoqualmie Casino and SeaTac Airport; and

13 finally, the same transportation between the Best

14 Western Sky Valley Inn in Monroe and SeaTac Airport --

15 Q. So --

16 A. -- not to park on the waterfront and solicit

17 transportation.

18 Q. So even if the Company had had its certificate

19 when it was conducting these trips from the waterfront,

20 what are Staff's thoughts on these trips?

21 A. Well, simply, they're illegal.

22 MR. O'CONNELL: Your Honor, at this time

23 Staff offers Exhibit MT-7.

24 JUDGE PEARSON: Thank you.

25 And Mr. Maurou, do you have the same

0148

1 objection to this exhibit?

2 MR. MAUROU: Yes. Yeah, I have an

3 objection. First, I want to explain that --

4 JUDGE PEARSON: So you will have an

5 opportunity to explain when it's your turn.

6 MR. MAUROU: Okay. Okay. Okay. Okay.

7 JUDGE PEARSON: I just am verifying with you

8 that you continue to object to these exhibits; is that

9 correct?

10 MR. MAUROU: Yes. I -- no, I continue to

11 object all those things. Why? I will have to explain

12 later.

13 JUDGE PEARSON: Okay. Well, I'm, going to

14 overrule your objection, and I will admit that exhibit

15 and mark it as -- that was MT-7; is that correct?

16 MR. O'CONNELL: Yes, your Honor. Thank you.

17 JUDGE PEARSON: Okay.

18 (Exhibit No. MT-7 was marked and

19 admitted into evidence.)

20 JUDGE PEARSON: And you can proceed,

21 Mr. O'Connell.

22 BY MR. O'CONNELL:

23 Q. Mr. Turcott, I'd like to direct your attention

24 to the document that has been marked for identification

25 as MT-9.

0149

1 Will you please identify this document?

2 A. Yes. This is a continuation of the e-mail chain

3 from Mr. Sualoa to myself regarding SeaTac Airport 24.

4 Q. Were there pictures attached to this e-mail?

5 A. Yes.

6 Q. Are the pictures included here with this

7 document those same pictures that were attached to the

8 e-mail?

9 A. Yes.

10 Q. And have you reviewed these pictures and the

11 e-mail as part of your investigation?

12 A. Yes, I have.

13 Q. Is this a true and accurate copy of the e-mail

14 and the pictures that you received?

15 A. Yes, it is.

16 Q. Okay. I'd like to direct your attention to the

17 pictures contained in Exhibit MT-9.

18 Were you able to make out the license plate

19 numbers of the vans in these pictures?

20 A. Yes.

21 Q. And what are the license plate numbers?

22 A. Well, it's the same van, it appears, in both

23 photos. The license is B66765Y, and that's one of the

24 vans that we know is owned by Mr. Maurou.

25 Q. And is that because it's the same number that

0150

1 you previously checked with Department of Licensing?

2 A. Yes, it is.

3 Q. Can you see any markings on the vans in these

4 pictures?

5 A. Yes.

6 Q. What do they say?

7 A. SeaTac Airport 24 with a phone number and a

8 website address.

9 Q. What did Mr. Sualoa convey to Staff in this

10 e-mail?

11 A. That the vehicle was parked in the area of the

12 Victoria Clipper, and when the driver was able to get a

13 full load of passengers, it departed for the airport.

14 Two of the passengers were City of Seattle employees,

15 undercover investigators who were charged $18 for the

16 transportation from the Victoria Clipper to SeaTac

17 Airport.

18 Q. And what is concerning to Staff about this

19 e-mail and the pictures attached to it?

20 A. Well, once again, it shows that the Company is

21 providing transportation for hire while its certificate

22 is cancelled.

23 MR. O'CONNELL: Your Honor, Staff offers

24 Exhibit MT-9.

25 JUDGE PEARSON: Okay.

0151

1 And Mr. Maurou, I assume that you object to

2 this as well?

3 MR. MAUROU: Yes, your Honor. I do object

4 to this also.

5 JUDGE PEARSON: Okay. I will --

6 MR. MAUROU: I do object all the package --

7 to be straight and simple, I do object all these papers.

8 JUDGE PEARSON: Okay.

9 MR. MAUROU: Why, I will have to explain.

10 JUDGE PEARSON: Okay. I will note your

11 objection. I'm going to overrule it, and I will admit

12 that exhibit and mark it as Exhibit MT-9.

13 (Exhibit No. MT-9 was marked and

14 admitted into evidence.)

15 BY MR. O'CONNELL:

16 Q. Mr. Turcott, as part of your investigation, did

17 you research whether the Company has a website?

18 A. Yes, I did.

19 Q. Did you visit that website?

20 A. Yes, I did.

21 Q. Okay. I'd like to direct your attention to the

22 document that has been marked as Exhibit MT-5 for

23 identification.

24 Will you please identify this document?

25 A. This is a screen image of seatacairport24.com

0152

1 captured May 26th, 2016, 9:24 a.m.

2 Q. Now, as part of your investigation, did you view

3 this website?

4 A. Yes, I did.

5 Q. Did it look like this when you viewed it?

6 A. Yes, it did.

7 Q. So is this a true and accurate reproduction of

8 the website that you viewed?

9 A. Yes, it is.

10 Q. What did you notice on the Company's website

11 that drew your attention?

12 A. Well, I noticed the Company is advertising

13 charter and excursion service as well as auto

14 transportation service.

15 Q. Can you turn to the last page, page 6 of that

16 document? Does it indicate what service the Company

17 offers?

18 A. Yes. It offers SeaTac Airport service and it

19 offers charter service.

20 Q. Does this raise a red flag to Staff?

21 A. Yes, it does.

22 Q. Why?

23 A. Well, for two reasons. The Company -- this was

24 captured from the internet during a period that the

25 certificate had been cancelled, so the Company had no

0153

1 authority to operate.

2 And advertising is considering operations of

3 charter service, so the website should not have had this

4 information up and available to the public. The public

5 sees the website, or it sees the phone number on the van

6 and assumes that it's a legitimate transportation

7 company and calls and books trips. And as we know,

8 there were many trips made.

9 So by itself, the advertisement is a concern.

10 And simply the fact that the charter service by itself

11 is -- stands alone as a violation.

12 Q. If I can have you look at the front page of that

13 document, does the website show a contact telephone

14 number for the Company?

15 A. Yes, it does.

16 Q. What is that telephone number?

17 A. (206) 356-7664.

18 MR. O'CONNELL: Your Honor, Staff offers

19 Exhibit MT-5 at this time.

20 JUDGE PEARSON: Okay. And I will note

21 Mr. Maurou's ongoing objection to each of Staff's

22 exhibits, and I will overrule it and admit this exhibit

23 and mark it as MT-5.

24 (Exhibit No. MT-5 was marked and

25 admitted into evidence.)

0154

1 BY MR. O'CONNELL:

2 Q. And Mr. Turcott, this telephone number that's on

3 the website, did you -- as part of your investigation,

4 did you call this phone number?

5 A. Yes, I did.

6 Q. Tell us about that.

7 A. On June 8th, 2016, at approximately 1:00 p.m., I

8 called that number to arrange to book transportation

9 from the Westin Hotel to SeaTac Airport for four people

10 for the following Sunday afternoon -- or I'm sorry --

11 Sunday morning.

12 Q. And what response did you get?

13 A. I got a confirmation number, I was quoted $60

14 for the trip for all four of us, and we terminated the

15 call. And about five minutes later, I received a call

16 back from the same number, again confirming the

17 transportation arrangements and my room number at the

18 Westin.

19 Q. And when did you make this telephone call?

20 A. June 8th, 2016.

21 Q. And that's also the same date you received the

22 call back, correct?

23 A. Yes, it is.

24 Q. As a result of your investigation, what

25 conclusions did you make?

0155

1 A. Well, I concluded that the Company was operating

2 during its period of cancellation. The advertisements

3 were still up, I was able to call and book a trip, and

4 we had numerous, numerous sightings of the vehicles in

5 various transportation hubs with passengers on board or

6 disembarking, et cetera, so it was fairly conclusive

7 that the Company was operating while its certificate was

8 cancelled.

9 MR. O'CONNELL: Your Honor, I have no more

10 questions for Mr. Turcott, and I guess that means that

11 he's available for questions from your Honor and from

12 Mr. Maurou.

13 JUDGE PEARSON: Okay. I don't have any

14 questions.

15 Mr. Maurou, do you have any questions for

16 Mr. Turcott?

17 MR. MAUROU: Yes.

18 \*\*\* CROSS-EXAMINATION BY MR. MAUROU \*\*\*

19 BY MR. MAUROU:

20 Q. Mr. Turcott, thanks for coming here. I have --

21 this is the first time I meet you, and thanks for your

22 service.

23 I appreciate what you did, but can you tell me

24 how long it took you -- the amount of time it took you

25 to do all this? Can you tell me?

0156

1 JUDGE PEARSON: Mr. Maurou, can you speak

2 closer to the microphone?

3 BY MR. MAUROU:

4 Q. Yes. Mr. Turcott, this is the first time I'm

5 meeting you, and I am very impressed about your

6 background, and thanks for your service.

7 I just want to know, can you tell me what amount

8 of time it took you to do all this job? Just -- I'm not

9 asking you to give me an exact amount, just --

10 A. The Commission employees have a time tracking

11 system where we record investigative time to a docket

12 number, so yes, we could tell you that.

13 MR. O'CONNELL: And Your Honor, if I can, I

14 object. I don't see the relevance of asking Mr. Turcott

15 how long his investigation took.

16 JUDGE PEARSON: Yeah. I'm going to sustain

17 that objection, so you need to move on to your next

18 question.

19 BY MR. MAUROU:

20 Q. Okay. You say you called June 1st. I don't

21 even recall the time, but when you called, you talked to

22 me personally, because I am the one doing all the

23 things, I'm taking my calls, and I do almost everything.

24 When you called, I knew what you were doing. I

25 knew. I will tell you right now. Why? I have been

0157

1 doing that for many years. I have a lot of

2 experience --

3 MR. O'CONNELL: Your Honor --

4 JUDGE PEARSON: Mr. Maurou --

5 MR. O'CONNELL: -- objection.

6 MR. MAUROU: So --

7 JUDGE PEARSON: Mr. Maurou, hold on a

8 second. This is not the time for you to be providing

9 testimony. If you have a question, you need to ask a

10 question.

11 BY MR. MAUROU:

12 Q. Okay. You called -- you called me. This

13 service -- this business, you call me and you

14 misrepresent yourself. And do you know you can go to

15 jail for that, for doing that? Are you aware of it?

16 You calling a Company, you misrepresent yourself?

17 MR. O'CONNELL: Objection.

18 JUDGE PEARSON: And I'll sustain your

19 objection.

20 Move on to your next question, Mr. Maurou.

21 BY MR. MAUROU:

22 Q. So I'm going to go back to their -- what's

23 called -- the package. I will do my best -- I will do

24 my best to be short. Okay. I don't know who I have to

25 answer [sic] the question to, general attorney or

0158

1 Mr. Pratt or Mr. -- Mr. --

2 JUDGE PEARSON: Turcott.

3 MR. MAUROU: Yeah, Turcott.

4 BY MR. MAUROU:

5 Q. All these communications, phone, electronics,

6 with Port of Seattle, with the City of Seattle that I

7 have seen here, and the pictures that you are not even

8 allowed to take, somebody very busy. So you're the one

9 who asked the City to send you all these electronics, or

10 how did you get all those things?

11 A. No. We didn't ask them. They voluntarily

12 contacted us when they saw your vehicles operating.

13 They had concerns and they thought that we might have

14 concerns as well, so they -- they reached out to us.

15 Q. So when was that, the first time they reach you?

16 A. Well, it's on the e-mail, what I testified to,

17 the e-mail here that we're talking about, May 24th.

18 Q. Okay. So you're telling me they reach you May

19 24th, that day they are concerned. How -- how come they

20 are concerned? Everybody is doing his business there.

21 Everybody is going and work hard. So how they are

22 concerned about singling me out, my vehicle, can you

23 tell me?

24 MR. O'CONNELL: Objection.

25 BY MR. MAUROU:

0159

1 Q. Do you have any idea?

2 MR. O'CONNELL: I think it calls for

3 speculative interpretation by Mr. Turcott.

4 JUDGE PEARSON: I agree. I'm going to

5 sustain the objection.

6 Move on to your next question, please.

7 MR. MAUROU: Okay. That's fine.

8 BY MR. MAUROU:

9 Q. So at this point, I am seeing things which

10 are -- which are (speaking French) -- I mean, which are

11 not clear. Sometimes they are the one contacting City

12 of Seattle, SeaTac Airport, and then they say they are

13 SeaTac, you contacted them, so I don't see honest

14 dialogue here.

15 MR. O'CONNELL: Objection.

16 JUDGE PEARSON: Yeah, I don't hear a

17 question. Do you have a question?

18 MR. MAUROU: Yes, your Honor.

19 BY MR. MAUROU:

20 Q. Sometimes they say City of Seattle is contacting

21 them, and sometimes they say they are contacting the

22 City of Seattle --

23 MR. O'CONNELL: Objection.

24 BY MR. MAUROU:

25 Q. -- or same thing with SeaTac Airport. I

0160

1 don't -- I don't know -- I don't understand -- I don't

2 see honest dialogue.

3 JUDGE PEARSON: Okay. Listen, Mr. Maurou.

4 Mr. Turcott addressed in his testimony who contacted who

5 and how the back and forth of the communication went,

6 and he already answered your question.

7 So if you have another question on another

8 topic, you're welcome to ask it, but we're going to move

9 on from that.

10 MR. MAUROU: Okay.

11 BY MR. MAUROU:

12 Q. And for -- for those are -- for -- you're saying

13 24 trips.

14 So can you tell me when was the first trip,

15 Mr. Turcott?

16 A. Just so I'm clear, the first trip listed here?

17 Q. Yes, sir.

18 A. It's up in the upper left. It's April 9th --

19 Q. April 9th?

20 A. -- at 3:30 -- just let me finish.

21 Q. Okay.

22 A. April 9th at 3:33 p.m.

23 Q. April 9th. And when was the last one?

24 A. And just to be clear, that was the first trip

25 listed within the date parameters reported. There may

0161

1 have been other trips that weren't reported, but

2 simply -- and the last trip within this spreadsheet is

3 May 24th at 9:53 a.m.

4 Q. Okay. And when was my license or my permit

5 revoked?

6 A. Your certificate was cancelled on March 8th,

7 2016.

8 Q. March -- March -- did you say March 8th?

9 A. March 8th.

10 Q. Eighth. Okay.

11 So what is between -- from March 8th and

12 April 9th, how many days have passed?

13 A. About 31 days.

14 Q. And how many trips have been made?

15 A. I don't understand.

16 Q. And how many -- how many trips have been made

17 from March 8th and April 9th?

18 A. We don't know.

19 Q. There you go.

20 MR. MAUROU: So from that point, your Honor,

21 those trips will not be considered.

22 MR. O'CONNELL: Objection.

23 JUDGE PEARSON: Yeah.

24 MR. MAUROU: Why --

25 JUDGE PEARSON: Mr. Maurou --

0162

1 MR. MAUROU: Why -- I will keep explaining.

2 JUDGE PEARSON: When you have an

3 opportunity, you can explain that part. Right now, it's

4 your opportunity to ask Mr. Turcott questions. If you

5 don't have any questions, then Staff will move on with

6 its presentation and then you'll have a turn.

7 MR. MAUROU: Okay.

8 JUDGE PEARSON: So you need to reserve that

9 for your turn.

10 MR. MAUROU: Okay. Thank you, your Honor.

11 Thank you.

12 JUDGE PEARSON: No more questions?

13 MR. MAUROU: I have a lot of questions for

14 Mr. David.

15 JUDGE PEARSON: Well -- well, it will be his

16 turn in a moment.

17 So go ahead, Mr. O'Connell.

18 MR. O'CONNELL: Staff would call Mr. David

19 Pratt to testify.

20 JUDGE PEARSON: Mr. Pratt, if you could

21 please stand and raise your right hand?

22 / / /

23 / / /

24 / / /

25 DAVID PRATT, witness herein, having been

0163

1 first duly sworn on oath,

2 was examined and testified

3 as follows:

4

5 JUDGE PEARSON: Okay. You may be seated.

6 And Mr. O'Connell, you can proceed when

7 you're ready.

8 MR. O'CONNELL: Thank you, your Honor.

9 \*\*\* DIRECT EXAMINATION BY MR. O'CONNELL \*\*\*

10 BY MR. O'CONNELL:

11 Q. Mr. Pratt, would you please state your name and

12 spell it for the record?

13 A. Yes. My name is David Pratt, P-R-A-T-T.

14 Q. And what is your occupation?

15 A. I'm the Assistant Director for Transportation

16 Safety here at the UTC.

17 Q. How long have you been employed by the UTC?

18 A. Eleven years.

19 Q. What are your responsibilities with the UTC?

20 A. I oversee the transportation safety program.

21 That includes motor carrier safety and rail safety. I

22 also oversee the licensing services program.

23 Q. What is your education and background as it

24 relates to your position?

25 A. I have a bachelor's degree from the Evergreen

0164

1 State College in public administration.

2 Q. Are you familiar with the Company SeaTac Airport

3 24 and its owner, Mr. Sani Maurou?

4 A. Yes, I am.

5 Q. How were you involved in the matters concerning

6 this Company's application for reinstatement and its

7 safety compliance review?

8 A. Well, as part of my overall duties, I oversee

9 the safety staff, where this case started, when the

10 safety investigation was conducted and Mr. Maurou

11 received an unsatisfactory safety rating. So I've been

12 observing this case ever since as it evolved through

13 that to cancellation, penalty, and then during the

14 suspension or the cancellation period, as Mr. Maurou has

15 applied for reinstatement, and then Mr. Turcott's

16 investigation.

17 Q. Are you familiar with Order 01 and Order 02 from

18 Docket TC-152296?

19 A. Yes, I am.

20 Q. Are you familiar with the cancellation of this

21 Company's authority to operate on March 8, 2016?

22 A. Yes, I am.

23 Q. Are you also familiar with Staff's investigation

24 into whether the Company had violated the conditions of

25 the Commission's cease and desist order?

0165

1 A. Yes, I'm very familiar.

2 Q. What is Staff's recommendation regarding the

3 suspended penalty amount of $20,000 that was included in

4 Order 02 from Docket TC-152296?

5 A. My recommendation today, as part of this case,

6 would be that that -- conditions of that order were

7 violated, and that, therefore, the $20,000 suspended

8 penalty should be assessed against the Company.

9 Q. And is that based upon the investigation that

10 Mr. Turcott has testified to?

11 A. Yes. It's based on the fact that we discovered

12 evidence that the Company was operating during the

13 period of time that their permit was cancelled.

14 Q. Now, are you familiar with the Company's

15 application for reinstatement?

16 A. Yes, I am.

17 Q. Okay. I'd like to direct your attention to the

18 document that's been marked as Exhibit DP-10 for

19 identification. DP-10 is the last document in the

20 packet that was handed out.

21 Will you please identify this document?

22 A. It's actually marked MT-10. I changed it.

23 Q. I apologize. The document has inadvertently

24 been marked as MT-10. It remains the tenth exhibit, but

25 the initials in front should be DP for Mr. Pratt.

0166

1 Can you please identify this document?

2 A. Yes. This is the application Mr. Maurou

3 submitted for reinstatement of his permit.

4 Q. And have you reviewed this document?

5 A. Yes, I have.

6 Q. Is this a true and accurate reproduction of the

7 document that you viewed?

8 A. Yes, it is.

9 Q. When did the Company -- or when did the Company

10 submit this application for reinstatement?

11 A. It's dated March 20, 2016.

12 Q. And are you familiar with all the conditions for

13 reinstatement that the Commission imposed upon the

14 Company?

15 A. Yes, I am.

16 Q. When did the Company meet all of those

17 conditions for its reinstatement?

18 A. There was a number of conditions that the

19 Company needed to meet that they started making some

20 progress on. The final condition was that Mr. Maurou

21 had to provide us documentation that he had made

22 arrangements with AllianceOne, the credit collections

23 company that had an overdue penalty from the Commission,

24 and he had to provide evidence that he had made

25 arrangements to pay that penalty off. I received

0167

1 documentation from AllianceOne on June 2nd.

2 Q. So would that be the date when Staff would

3 consider all of the conditions having been met?

4 A. Yes.

5 Q. Okay. I want to ask you a little bit more about

6 the timeline of the Company's cancellation and

7 application for reinstatement.

8 Can you please explain the timeline and how

9 Staff went about evaluating the Company's application?

10 A. Sure. Just to summarize, I guess we'll begin

11 on -- March 8th was the date of the hearing when the

12 Company's certificate was cancelled verbally by the

13 judge.

14 On March 15th, the Company -- or the Commission

15 issued Order 01, which reaffirmed that verbal

16 cancellation of the certificate. They also issued a

17 cease and desist order with that.

18 There was a $25,000 -- $25,200 penalty. The

19 Commission suspended 20,000 of that for two years, based

20 on conditions. The conditions were that he had to

21 maintain a satisfactory safety rating, there were no

22 repeat violations, and that the penalty was either paid

23 or had a payment plan established by March 25th of 2016,

24 and then finally, that the Company had established a

25 payment plan with AllianceOne credit collections

0168

1 company.

2 After that, Mr. Maurou did get in touch with us

3 on April 25th. We agreed with him on a payment plan of

4 $200 per month for 24 months to pay this off.

5 Shortly after that, in March [sic], he submitted

6 his reinstatement application which came into the

7 Commission.

8 On May 12th is when the Commission issued Order

9 No. 02, which was the final order upholding the penalty,

10 also reaffirming that the Company needed to file its

11 2015 annual report and pay the fees, that it must pay

12 the -- either make the payments and also make

13 arrangements with AllianceOne credit card company. Also

14 instructed Staff to do a follow-up investigation before

15 June 2018 to check the status of his safety program.

16 Shortly after that, May 24th is when Mr. Turcott

17 received the first e-mail from SeaTac Airport sharing

18 some information with us that was concerning, so we

19 started looking at that information.

20 I will say, on May 28th, Mr. Maurou did make a

21 payment of $200. Shortly after that, on June 2nd is

22 when I received confirmation from AllianceOne that he

23 had made arrangements with the collections company,

24 which would be the date I believe he was compliant with

25 the order, and had met the conditions.

0169

1 At that point, I was faced with making a

2 decision about reinstating the application. And based

3 on the fact that we had received evidence of numerous

4 trips, the 24 trips into SeaTac Airport, the offers that

5 he had made to Mr. Turcott to provide service, I felt I

6 had no choice at that point but to recommend denying the

7 reinstatement application because he violated the order

8 and continued to operate.

9 Which brings us to me filing the notice of

10 intent to deny, which was June 20th, and then the

11 Commission scheduling this hearing here today.

12 Q. Had Staff discovered any evidence that the

13 Company had been operating before the conditions for

14 being reinstated were met?

15 A. Yes. Again, as I mentioned, June 2nd, 2016, was

16 the date that the -- all the conditions were met. We

17 had evidence back as far as May 24th that the Company

18 was operating.

19 Q. Now, you talked about Order 02 and the

20 conditions that it presented, and one of those

21 conditions I think you mentioned was the Company was not

22 to violate the Commission's safety regulations. I have

23 a question about that.

24 Is keeping driver files on all drivers required

25 by the safety regulations?

0170

1 A. Yes.

2 Q. Okay. What is Staff's recommendation regarding

3 the Company's application for reinstatement of its

4 authority to operate?

5 A. Staff recommends that the application for

6 reinstatement be denied based on the fact that the

7 Company operated during the cancellation period and

8 violated Commission Order 02 in this docket.

9 MR. O'CONNELL: I have no more questions for

10 Mr. Pratt. Thank you, your Honor.

11 JUDGE PEARSON: Okay. Mr. Maurou?

12 MR. MAUROU: Yes, your Honor.

13 JUDGE PEARSON: Just to remind you of the

14 discussion that we had earlier about the scope of

15 questions that you are allowed to ask, they should not

16 be the questions on that list that you submitted on

17 Friday. They should just be relevant to this

18 proceeding.

19 MR. MAUROU: Um, frankly I don't know what

20 to say, but I will do my best, as any question, as I

21 said at the beginning, I will be asking, I'm not asking

22 for fun. I am asking to get more info and then make my

23 case. If that opportunity is not given to me, I may

24 accept it. If -- with your permission your Honor, if I

25 can start asking questioning Mr. David, because I have a

0171

1 lot of questions.

2 JUDGE PEARSON: You can start.

3 MR. MAUROU: Okay.

4 \*\*\* CROSS-EXAMINATION BY MR. MAUROU \*\*\*

5 BY MR. MAUROU:

6 Q. Mr. David, as I said at the beginning, this

7 company has been created in 1999 by me after college, so

8 I have been in business with this company for 17 years.

9 No accidents in the file. Zero accident, once again, in

10 17 years. Zero breakdown on freeway or city streets.

11 Zero -- no major complaints. Zero. So safety is not

12 just about me, it's not just about my driver, it's not

13 just about my vehicle, it's not about just the customer,

14 it is for the public. We know that. And we don't need

15 UTC --

16 MR. O'CONNELL: Objection.

17 BY MR. MAUROU:

18 Q. -- coming behind --

19 JUDGE PEARSON: Mr. Maurou, if you're going

20 to ask a question, you need to ask a question, not give

21 testimony. You're not sworn in --

22 MR. MAUROU: Okay.

23 JUDGE PEARSON: -- and it's not time for

24 that.

25 MR. MAUROU: Okay.

0172

1 BY MR. MAUROU:

2 Q. So that was a break of SeaTac Airport, for those

3 who don't know about SeaTac Airport.

4 Mr. David Pratt, can you recall -- do you recall

5 when was the first time you talked to me on the phone?

6 MR. O'CONNELL: Objection. Relevance.

7 But --

8 MR. MAUROU: No, I want to know. I want to

9 know. He need to talk. I want to know, and I want

10 everybody -- the judge is here, your Honor, you're the

11 one -- I will say that you're the one that give me these

12 payments after hard decision, and I will never, never,

13 never forget it.

14 Plus attorney general, I have his name

15 somewhere, it was a hard decision. But they allow me,

16 and after checking my record, so honestly, I'm proud of

17 my own record, and I'm not interesting -- I don't have

18 time to fight. My problem is to solve problems.

19 JUDGE PEARSON: I'm sorry. What was the

20 last thing you said?

21 MR. MAUROU: I said, I don't have time to

22 fight. My problem is to solve problems.

23 JUDGE PEARSON: Okay. If you --

24 / / /

25 BY MR. MAUROU:

0173

1 Q. So Mr. David, you need to tell me, I want you to

2 tell me and everybody, when was the last time or the

3 first time you talked to me on the phone? If you don't

4 recall, don't worry, I will remind you and remind

5 everybody. Just say no or give approximately dates.

6 MR. O'CONNELL: I repeat my objection,

7 your Honor.

8 JUDGE PEARSON: Okay. And Mr. O'Connell has

9 objected to the relevance of the question, and I'm not

10 sure where you're going with this.

11 MR. MAUROU: Yeah, you're not sure. That's

12 why I need to go there. Yeah, everybody will -- we are

13 here for a hearing. Why I go from -- I will stay at

14 home. I will stay at home. I need to -- I need

15 everybody to hear and see, and thank you for coming.

16 You came to the hearing, and honestly, I have to thank

17 you for that.

18 But I didn't want to do that, but you have

19 to be here because I have a lot of questions. He cannot

20 answer my questions. He doesn't know nothing. Even the

21 judge, the honorable judge, Rayne Pearson, doesn't know

22 nothing. But you know, I know you're not a kid, you are

23 a grown man. I am a grown man, too.

24 JUDGE PEARSON: Okay. Mr. Maurou --

25 BY MR. MAUROU:

0174

1 Q. When was the first time we talk on the phone?

2 JUDGE PEARSON: Mr. Maurou, Mr. O'Connell

3 has objected to the question. I'm going to sustain the

4 objection because I don't understand the relevance.

5 MR. MAUROU: That's why -- once again,

6 your Honor, that's why I am asking.

7 JUDGE PEARSON: I'll remind you, though,

8 Mr. Maurou -- okay. Stop speaking. I'll remind you

9 that I am very familiar with this case, and I have heard

10 testimony from Mr. Pratt before about the nature of your

11 interactions with him and the phone conversations that

12 you've had and the technical assistance that you've been

13 given. So I've been the judge on this case from the

14 very beginning. I'm familiar with the story.

15 I agree with Mr. O'Connell that it's not

16 relevant when the first time that you and Mr. Pratt

17 spoke. So if you have another question, let's move on

18 to your next question.

19 MR. MAUROU: Okay. I take it back. I don't

20 feel good, to be honest, and I cannot ask the first

21 time -- I'm going to go straight in that case, because I

22 talked to Mr. David --

23 BY MR. MAUROU:

24 Q. I talked to you -- the first time I talked to

25 you was regarding -- you called me, and under the fraud,

0175

1 you said, he's willing to talk to Sani Maurou. I say, I

2 am Sani Maurou.

3 MR. O'CONNELL: Your Honor, I have to

4 object. It sounds a lot like testimony that

5 Mr. Maurou --

6 JUDGE PEARSON: Yes, I agree.

7 MR. O'CONNELL: -- is providing and not

8 questioning.

9 JUDGE PEARSON: We need questions. If you

10 have questions --

11 MR. MAUROU: I just --

12 JUDGE PEARSON: You have to not speak when

13 I'm speaking.

14 MR. MAUROU: Sorry.

15 JUDGE PEARSON: Okay.

16 MR. MAUROU: Sorry, your Honor.

17 JUDGE PEARSON: So if you have a question,

18 without providing all the background, just go ahead and

19 ask the question. And I'm just going to give you a

20 couple more chances and then I'm going to just put an

21 end to it if you can't ask questions. Okay?

22 MR. MAUROU: Okay.

23 BY MR. MAUROU:

24 Q. So okay. Can you -- when was -- what day was my

25 permanent revoke?

0176

1 A. That would be March 8, 2016.

2 Q. Okay. Do you recall that day when I came to the

3 hearing, I have ton of pile here, and I brought all

4 requested documents, and the only thing that was missing

5 was my own certificate that I brought, but you were not

6 sure if it was from a registered doctor.

7 So Mr. -- what's he called -- the young man, he

8 tried to go and check it just in two weeks, and then

9 come back and then reconsider my permit, and then you

10 did refuse? Do you remember, you did refuse?

11 Because the day I came when -- the last hearing

12 I came here trying to concern my permit, right, when I

13 came, I brought all my paperwork here? And then that

14 day, I did request -- I did request to Judge Rayne

15 Pearson that -- to reconsider that I brought all

16 required documents.

17 Do you recall you're the one who refused?

18 A. Yes.

19 Q. Do you recall?

20 A. Yes.

21 Q. Can you tell us why you refused?

22 A. Because the papers were incomplete, and they

23 were not what was required to comply with the law.

24 Q. They was complete. The only thing was the --

25 what's called -- as I said, recertificate, and I have

0177

1 it. The only thing you were looking --

2 MR. O'CONNELL: Objection.

3 MR. MAUROU: -- is to make sure --

4 JUDGE PEARSON: Mr. Maurou, you can't argue

5 with Mr. Pratt. Okay?

6 MR. MAUROU: Okay. Yeah. Okay. So that's

7 the first thing.

8 BY MR. MAUROU:

9 Q. And do you recall in our conversation -- I

10 recalled three conversations, but the third one was

11 very -- you thought I was asking -- you were asking me

12 to shut down my website.

13 And then I asked you if -- do you have any piece

14 of legislation that you can direct me that will help me

15 understand? And you did not -- you never get back to

16 me, and then you get upset.

17 Do you remember that conversation?

18 A. No.

19 Q. Okay. I do remember I have it, the last

20 conversation I had with you was about my website, and

21 you were asking me to shut down my website. And I told

22 you you cannot do that. I told you that on the phone --

23 JUDGE PEARSON: Mr. Maurou --

24 MR. MAUROU: I said, you cannot do that.

25 JUDGE PEARSON: Mr. Maurou --

0178

1 MR. MAUROU: I asked you --

2 JUDGE PEARSON: Mr. Maurou, do you have a

3 question? You're not asking questions. You're just

4 giving testimony, which you're not under oath, so it's

5 not time for you to do that. I'm going to give you one

6 more chance.

7 MR. MAUROU: Okay, your Honor, because I'm

8 having -- my conclusion, if you want me to go straight,

9 I will.

10 JUDGE PEARSON: Please.

11 MR. MAUROU: My conclusion, if you want me

12 to go straight, is Dave has been overusing the power

13 given to him by UTC, by the State, to retaliate through

14 my person and to my Company. And from that point --

15 MR. O'CONNELL: Your Honor, I have to

16 object.

17 MR. MAUROU: From that point --

18 MR. O'CONNELL: This is --

19 MR. MAUROU: Let me talk.

20 JUDGE PEARSON: If you want -- if you want

21 to testify, that's fine. I can swear you in.

22 MR. MAUROU: Yes.

23 JUDGE PEARSON: This is cross-examination.

24 I don't think you have any questions at this point.

25 MR. MAUROU: No, I have. I have.

0179

1 JUDGE PEARSON: But you haven't asked any

2 questions.

3 MR. MAUROU: Okay.

4 JUDGE PEARSON: You've been trying to give

5 testimony.

6 MR. MAUROU: My last question --

7 JUDGE PEARSON: Okay. Stop. Stop talking

8 for a second.

9 MR. MAUROU: Okay.

10 JUDGE PEARSON: You have one more question?

11 MR. MAUROU: Okay. Yes.

12 JUDGE PEARSON: And it better be a question.

13 MR. MAUROU: Yes, my last question.

14 BY MR. MAUROU:

15 Q. Dave, when Judge Rayne --

16 JUDGE PEARSON: What are you saying?

17 MR. MAUROU: I say, when Judge Rayne

18 Pearson --

19 JUDGE PEARSON: Oh, me.

20 BY MR. MAUROU:

21 Q. -- cancelled my permits and requested all

22 documents need to be reinstated, I gave you all those

23 permit. Why it took so long to get me on track? What

24 did you do to help? Can you tell us?

25 A. Yes, I can. You did not provide all the

0180

1 paperwork that was required to meet the conditions until

2 June 2nd. We had received information in May that you

3 were operating.

4 And so while I was waiting for Mr. Maurou to

5 provide all the information so I could make a decision

6 about reinstating the document or the permit, I received

7 information that you were operating, which led me to

8 have to make the conclusion that I had to deny the

9 permit.

10 And so shortly after June 2nd, I asked the

11 Commission to deny your permit for reinstatement. So I

12 did it after I received -- or I'm sorry -- you provided

13 the information after we had already received

14 information you were operating.

15 Q. Okay. And if I want to ask you, or say that the

16 day I came here the last hearing, and then my permit was

17 cancelled, that day, when I went home, when you saying

18 that it was incomplete, when I went home, I just went to

19 the website, it's not two minutes, get to the document,

20 and then e-mail right away that night.

21 So why you didn't give me my permit next day?

22 A. Because you had not met the conditions of the

23 order yet.

24 Q. What conditions?

25 A. At that point, you had not agreed to payment

0181

1 arrangements, you had not provided evidence that you had

2 made arrangements with AllianceOne, the credit company,

3 and you had not filed your 2015 annual report.

4 Q. And I filed -- I filed it right away, too. The

5 next day, I did file, and then I did call Alliance, make

6 arrangement, call you back, and I have one of your

7 check, and I call you and e-mail you back the same time.

8 JUDGE PEARSON: Mr. Maurou --

9 BY MR. MAUROU:

10 Q. But why did you wait so long? And why -- I

11 mean, the same night, I did it. Next day I called --

12 what's called -- Alliance. And even when you saying

13 about payments, when am I going to get money if I'm not

14 working? Are you paying my bill? I want to know, are

15 you paying my bill?

16 MR. O'CONNELL: Objection.

17 JUDGE PEARSON: Yeah. Mr. Maurou, we're

18 going to be done with the questions now because

19 Mr. Pratt --

20 MR. MAUROU: I'm done.

21 JUDGE PEARSON: -- answered --

22 MR. MAUROU: I have a lot of questions, but

23 I'm done.

24 JUDGE PEARSON: Okay. So I want to take a

25 brief recess right now and then we'll come back and,

0182

1 Mr. Maurou, it will be your turn. I'll swear you in and

2 then you can give your side of everything. Okay?

3 MR. MAUROU: No problem, your Honor. No

4 problem, your Honor.

5 JUDGE PEARSON: So we will be off the record

6 for ten minutes. We'll come back at 3:25.

7 MR. MAUROU: Thank you, your Honor.

8 (A break was taken from

9 3:15 p.m. to 3:25 p.m.)

10 JUDGE PEARSON: Okay. We will be back on

11 the record at 3:25.

12 And Mr. Maurou, if you would please stand

13 and raise your right hand, I will swear you in.

14

15 SANI MAHAMA MAUROU, witness herein, having been

16 first duly sworn on oath,

17 was examined and testified

18 as follows:

19

20 JUDGE PEARSON: Okay. You may be seated,

21 and I'll just remind you to make sure to speak slowly

22 and clearly into the microphone, and you can go ahead

23 and present your case

24 / / /

25 / / /

0183

1 \*\*\* DIRECT TESTIMONY BY MR. MAUROU \*\*\*

2 MR. MAUROU (through interpreter): Your

3 Honor, thank you for giving me this chance to come to

4 hearing my case. I thank Mr. O'Connell and General --

5 and for the first time, I just met Mr. Turcott, too,

6 that I see today. And for sure, Mr. David Pratt.

7 It is really tiresome when you give

8 everything -- when you give everything, and you see that

9 it is not working. Frankly, it is -- it is not good.

10 And then when you are portrayed the way you are not,

11 that is even more.

12 This case, if I have to talk about this

13 case, we can talk about it for a month and will not

14 finish. But as I said, I will try to be brief.

15 For the first time I had an occasion to talk

16 to Mr. Dave Pratt on the phone last year, he called me,

17 it was a Thursday, and it was very nice.

18 He asked me, are you Mr. Sani?

19 I said, yes.

20 And he presented himself, I'm Mr. David

21 Pratt. I'm the director assistant of UTC.

22 I did learn that he worked at the

23 transportation. Is it true?

24 I said, yes, but I take client from the

25 Westin and I bring them to there. But I don't have a

0184

1 time setting for that, for there.

2 When those people I deposit there, they call

3 me back to pick them up, and then I go to pick them up.

4 Then it is true? Then it is true? I do

5 have a calendar. And I do work under the authority of

6 charter. The conversation went well.

7 The second time Mr. David Pratt called me,

8 again, I did learn that he work at cruise [sic].

9 I told him exactly the same thing. There

10 are people from Westin that call me to bring them to

11 cruise. And then after a week, they come back. And

12 when they come back, they call me again to go -- to pick

13 them up to bring back to -- or to Westin, or to the

14 airport, or to another hotel, and it went well also.

15 The third time, he called me again,

16 Mr. David, he called me, he saw my website, that I put

17 things that product I don't have, then to close my

18 website or to change it. I told him, the product I have

19 are not only based on Washington state. It is

20 international. And then the product that I have, I do

21 dispatch them to people also. That is how I explained

22 to him.

23 He insisted, what I told you to do, you have

24 to do it. I gave him an example of Costco. I told him

25 Costco sells product that they don't have. Costco have

0185

1 no product at all.

2 I give him example of Microsoft. Microsoft

3 sell also houses, but whereas they do product software

4 only.

5 I did give him another example, too. I told

6 him, frankly, honestly, I don't understand what you are

7 asking me. I don't understand what you are talking to

8 me, but it is not that I'm angry. I told him that.

9 I asked him, does he have part of

10 legislative that authorize him to come and to close my

11 website, the website that I -- it took me five years to

12 put up, without counting the money that I invested in?

13 If there is a legislative paper that he has that he can

14 send me, it will help me to understand.

15 Mr. David Pratt never sent me a message of

16 what I have asked him. And I think 100 percent in my

17 heart that Mr. David was angry.

18 JUDGE PEARSON: Mr. Maurou --

19 MR. MAUROU (through interpreter): And as I

20 said, at the very beginning, I am very patient. I am

21 like maybe this -- maybe yes, maybe not. I don't want

22 to fell down. I don't want to be angry. And I don't

23 want to jump and say what somebody has not done, and

24 have a conclusion saying that the person has done that.

25 I don't want to do it, until I see with my eyes. But

0186

1 when I will see with my eyes, then that will be very

2 hard.

3 The third time I talked to him, the third

4 time I talked with Mr. David, after two weeks, UTC send

5 me letters that I didn't do it, the annual report. Then

6 they did not send me a letter to remind me to do that

7 annual report, and I didn't do it, and it was later.

8 Then now they tell me to pay $1,000. Then they -- then

9 where would I get $1,000?

10 MR. O'CONNELL: Objection, your Honor. I

11 don't think this is about this case, so I'm questioning

12 the relevance of the testimony that's being presented.

13 JUDGE PEARSON: So that's true, Mr. Maurou.

14 You're talking about a different docket related to the

15 annual report penalty assessment.

16 MR. MAUROU: No, no, no, no, no, no. Oh, it

17 is -- it's -- I'm not talking about it, but it's part

18 of -- but if Mr. O'Connell want, we can --

19 JUDGE PEARSON: Just move on from that.

20 MR. MAUROU: Right.

21 (Through interpreter) Now, I paid -- I paid

22 the money. It is paid. But after the two weeks, they

23 send me another letter that next week, they will come to

24 do an investigation, or whereas they have made -- during

25 the year, they have made two investigations already.

0187

1 Normally after the first investigation, they have to

2 wait for three years. It is written in their

3 legislative.

4 Yeah, I asked myself a lot of questions,

5 because it was in the papers that I sent and they come

6 to ask me. Why me?

7 MR. O'CONNELL: Your Honor, objection.

8 Your Honor, I'm questioning the relevance again. I

9 think the current testimony being offered is about the

10 case that was already resolved in Docket TC-152296.

11 JUDGE PEARSON: I agree. And Mr. Maurou,

12 just to be clear, what I want to hear from you today --

13 MR. MAUROU: Okay.

14 JUDGE PEARSON: -- is your response to the

15 case that Staff put on today. So I want your --

16 MR. MAUROU: Thank you so much.

17 JUDGE PEARSON: -- explanations for why you

18 were operating -- stop talking. I want to hear

19 explanations about why you were operating without a

20 permit, what --

21 MR. MAUROU: Okay.

22 JUDGE PEARSON: -- what you were doing at

23 the airport, et cetera, et cetera. You need to respond

24 to what Staff talked about today. That's all that's

25 relevant at this point.

0188

1 MR. MAUROU: Okay.

2 JUDGE PEARSON: So do you have an

3 explanation for --

4 MR. MAUROU: Yeah. If you can allow me to

5 conclude this subject --

6 JUDGE PEARSON: I'm not going to allow you

7 to conclude the subject because it's not relevant. I

8 want you to talk about what was talked about today by

9 Mr. Turcott and Mr. Pratt. I want you to speak to those

10 allegations, because that's the basis for Staff's

11 recommendation that the Commission deny your application

12 for reinstatement.

13 That's what matters right now is --

14 MR. MAUROU: Okay.

15 JUDGE PEARSON: -- the non-permitted

16 transportation that occurred after your permit was

17 cancelled on March 8th up until today. So that's all I

18 want to hear about is what happened between March 8th

19 and today.

20 MR. MAUROU: Okay. Your Honor, I was

21 trying -- I was trying to demonstrate that there was a

22 personal retaliation from --

23 JUDGE PEARSON: Okay.

24 MR. MAUROU: -- Mr. David Pratt.

25 JUDGE PEARSON: So I'm going to stop you

0189

1 right now and tell you that I'm not going to entertain

2 that argument.

3 MR. MAUROU: Okay. So -- and so -- and

4 when --

5 (Through interpreter) When the judge

6 cancelled my drive, my certificate, my permit, I have

7 given all the papers to UTC. They talk about safety. I

8 gave all the paper of safety to UTC. Then following

9 day, they should have allowed me to go to work. But

10 they failed -- UTC failed. Then the UTC did fail their

11 work because they would have let me --

12 JUDGE PEARSON: Okay. Mr. Maurou, enough.

13 I want to hear about your response to Staff's

14 allegation.

15 MR. MAUROU: Okay.

16 JUDGE PEARSON: That's what your opportunity

17 is here today.

18 MR. MAUROU: Okay. For those 24, I'm going

19 to start with those 24 visits that they said.

20 JUDGE PEARSON: Right.

21 MR. MAUROU: Okay.

22 JUDGE PEARSON: So you're referring to

23 Exhibit MT-4 --

24 MR. MAUROU: Yeah.

25 JUDGE PEARSON: -- which is the SeaTac

0190

1 record --

2 MR. MAUROU: Right.

3 JUDGE PEARSON: -- of you coming in and out

4 of the airport 24 times?

5 MR. MAUROU: Right. Through -- all of you

6 here know, even everybody maybe -- I met Mr. Turcott,

7 maybe he has access to all the information. I gave all

8 information.

9 My vehicle, I have loan that I pay, and

10 everybody's informed here, I went and discover -- I went

11 and did -- I went and discover all those things.

12 (Through interpreter) After when you

13 cancelled, Madam, the judge, that is the question I

14 asked of Mr. Turcott. I asked them, between March and

15 April 18th, what did they see? Did they see me working?

16 But after in April, the Company first

17 started to send me letter that they wanted to repossess

18 my truck. Then I had to take my cars and move them

19 every day, because they know where I live. They know

20 where I park my truck.

21 Then I moved my cars, my truck to the

22 airport. I have a cousin who lives near the airport.

23 That is -- that is where my trucks go around every day.

24 I don't know that that is what you saw that time. That

25 is the 24 visits.

0191

1 Then the record machine, I don't know when

2 that machine had been verified. Up to now, we don't

3 know really where we are.

4 JUDGE PEARSON: Hold on, Mr. Maurou. Are

5 you denying that those were your vehicles entering the

6 airport?

7 MR. MAUROU: Yes.

8 JUDGE PEARSON: So you're denying that you

9 operated without a certificate?

10 MR. MAUROU: Yes, I'm denying.

11 JUDGE PEARSON: You're saying you never

12 operated without a certificate?

13 MR. MAUROU: From what it's called -- from

14 April to what's called --

15 (Through interpreter) Let me see the dates.

16 From April to -- yeah, from April to June.

17 JUDGE PEARSON: So you're saying you didn't

18 operate from the time -- from the time your permit was

19 cancelled, you haven't operated this entire time?

20 MR. MAUROU: (Through interpreter) From

21 March to June, I didn't move. But when they started

22 sending me letters, I did move my cars to the airport.

23 But -- I don't know if that is what happened, but I

24 didn't do operation at all. That is the truthful [sic].

25 That's why I asked Mr. Turcott, what did he

0192

1 see between March up to April.

2 And he said, no, he saw nothing.

3 Then that is the 24. I finish with that.

4 Thank you very much.

5 Now, I don't know if it is mixed, but I will

6 do it quickly. For the e-mail, I don't know what he's

7 talking about it. That is why I asked again to

8 Mr. Turcott, how many -- how long does it take him to do

9 all this?

10 When I asked Mr. UTC to call Alliance to

11 verify if I paid, or I have made an arrangement, they

12 didn't do it, whereas it takes two minutes. People like

13 to accuse others in this world, but they don't accuse

14 themselves. It is sad.

15 Then now I talk about my website. That's

16 mine. Who authorized Mr. Turcott to go on my website?

17 Who authorized Mr. David to go into my website? They

18 got authorization from who? That is incredible. I did

19 that for my clients.

20 Then once again, I -- my business is not

21 Washington. Although I'm proud to be from Washington,

22 my business is international.

23 Then I finish with website program. All

24 that, I don't think it is -- you can consider it, the

25 e-mails. You have time, and we -- they have time --

0193

1 e-mails with the man we pay for the taxes -- I pay my

2 taxes -- I pay my taxes every year. I have workers, I

3 pay them money, too. They have money and they are

4 happy. I am very proud because I'm also helping

5 Washington state. I am very proud because I'm also

6 helping my country, US. I finished with the program of

7 e-mail.

8 Now -- now I want to have some comment on

9 the pictures. These pictures there, I don't know even

10 what they mean. Everybody can use Photoshop to do this.

11 It is nothing. Suppose they took the pictures, real

12 pictures, do they have reason to do this? It's not a

13 criminal case. It is a civil case. We have serious

14 problems criminal. We have to use that time to go then.

15 MR. O'CONNELL: Objection.

16 JUDGE PEARSON: I think he's done.

17 MR. O'CONNELL: I object to -- go ahead.

18 MR. MAUROU (through interpreter): I

19 finished with the pictures. Thank you.

20 You included this paper, and I'm proud of

21 it. It is my paper reinsertment [sic]. Everything is

22 in there. But UTC decided to do other things by going

23 around the law --

24 MR. O'CONNELL: Objection.

25 JUDGE PEARSON: Mr. Maurou --

0194

1 MR. MAUROU (through interpreter): -- and

2 coming back to me.

3 JUDGE PEARSON: Mr. Maurou -- Mr. Maurou,

4 Mr. O'Connell had an objection, so I want to hear from

5 him.

6 MR. O'CONNELL: Your Honor, I object to the

7 accusations that Staff acted illegally or improperly. I

8 don't believe, first of all, that's relevant, because

9 we're here because of the Company's actions.

10 JUDGE PEARSON: I agree. So Mr. Maurou --

11 MR. MAUROU (through interpreter): Then I

12 think I finish with the problem of my petition.

13 JUDGE PEARSON: Okay.

14 MR. MAUROU (through interpreter): As I

15 said, UTC, they fail their responsibility. I gave them

16 all the necessary papers. Then I think -- then I think

17 I am safe to go to work. And once more, I don't know.

18 If you -- if you take into account

19 financially consequences, if I'm talking about them, I

20 talk about UTC, the workers, there are good people that

21 I talk on the phone. When I'm talking about UTC, I'm

22 not talking about all of them. There are people who

23 want to help. When I talk about that, I'm not putting

24 it in general.

25 MR. O'CONNELL: Objection.

0195

1 JUDGE PEARSON: Yeah. And I got your point,

2 Mr. Maurou. Are you almost done? Because I have

3 questions for you.

4 MR. MAUROU (through interpreter): Then I

5 ask that all the papers I have in front of me, first it

6 came late; legally, it is not acceptable.

7 JUDGE PEARSON: Okay. You already made this

8 argument and I rejected it, so you need to move on.

9 MR. MAUROU (through interpreter): Okay.

10 Secondly, all these papers I have, I did ask the

11 questions -- the machine that read -- took pictures of

12 all this, if it was verified. I didn't get a response.

13 Then I think I almost finished.

14 Thank you, your Honor. I thank everybody

15 who is here, without exception. Thank you all again.

16 JUDGE PEARSON: Okay. So Mr. Maurou, just

17 to be clear, your testimony is that you did not operate

18 at all between March and June? The information that

19 Staff presented is incorrect; that's what you're saying?

20 MR. MAUROU: Yes, your Honor.

21 JUDGE PEARSON: But you do admit that you

22 operated in June?

23 MR. MAUROU: After June, I'm not sure -- I'm

24 not sure, to be honest. I'm not sure. It's not like

25 I'm -- I'm not somebody who hides. You can keep

0196

1 running, hide, somebody will find you. I don't hide.

2 It's after June, I did -- but I'm not sure

3 when. Why I did it? I'm going to explain to you

4 myself, or to you, your Honor, why I did it.

5 When I found out UTC were not willing -- as

6 I gave them everything, they are not willing to give me

7 my permit, why am I going to stay home? Who's paying my

8 bills? I have family of five people, and that's all the

9 things I cannot say here. That's why I say people don't

10 understand. The law blaming other, and they not blame

11 themself [sic]. They never blame themself. I'm not

12 going to sit at home. Somebody's paying my bill?

13 After June, I did operate. Why? UTC, they

14 fail to give me my permit, and I gave them all the

15 required paper. So I'm led to work, and I have

16 federal -- federal permit that allow me to work at

17 least. So I did it, so I'm not hiding. I don't like

18 hiding.

19 JUDGE PEARSON: Okay.

20 MR. MAUROU: I don't like that. It's not

21 good.

22 JUDGE PEARSON: I just wanted to clarify.

23 So you are admitting --

24 MR. MAUROU: After June, after June, I did

25 operate it. But when, I'm not sure, because I don't

0197

1 have all the record.

2 JUDGE PEARSON: Okay. You're just not

3 sure --

4 MR. MAUROU: Why I did it? That's why I had

5 said, I have -- they are following me to come repossess.

6 I have to hide, keep circling the car, all those things.

7 Who's paying my bill? And I have -- and I have all

8 legal papers. I gave to UTC.

9 And I have federal permit that allow me to

10 work, at least temporary, until UTC decides to come to

11 me and help. And so I'm not going to sit down at home.

12 I did work after -- I think after June --

13 JUDGE PEARSON: Okay.

14 MR. MAUROU: -- I did work.

15 JUDGE PEARSON: Okay.

16 MR. MAUROU: But before that, I did not. I

17 have followed your rule --

18 JUDGE PEARSON: Okay.

19 MR. MAUROU: -- and I have followed UTC

20 rule.

21 JUDGE PEARSON: Thank you.

22 MR. MAUROU: And but honestly, it was a hard

23 decision.

24 JUDGE PEARSON: Okay. That answers my

25 question. Thank you.

0198

1 MR. MAUROU: Yeah, your Honor. Yeah.

2 JUDGE PEARSON: Mr. O'Connell, do you have

3 any questions for Mr. Maurou?

4 MR. O'CONNELL: I do, your Honor.

5 JUDGE PEARSON: Okay.

6 \*\*\* CROSS-EXAMINATION BY MR. O'CONNELL \*\*\*

7 BY MR. O'CONNELL:

8 Q. Mr. Maurou --

9 A. Yes, your Honor -- sorry -- Mr. O'Connell.

10 Q. -- how many workers do you employ?

11 A. Right now I have two, and they are new. You

12 know, they just start working. They are brand new.

13 There are two.

14 Q. Is that in addition to yourself?

15 A. Yes, but I don't -- I'm -- mostly what I do is I

16 take calls because you cannot drive taking calls.

17 Q. Okay.

18 A. So I take calls and dispatch.

19 Q. Are -- Ahmed Adam and Hafton Tafere are drivers

20 for you, correct?

21 A. Yes, they are brand new.

22 Q. Okay. How long have they been driving for you?

23 A. They've been driving for a couple of weeks.

24 Q. Couple weeks?

25 A. Yeah.

0199

1 Q. How many vans do you have?

2 A. Right now I have four brand new vans, and all

3 those vans, four brand new, are on the loan. And --

4 Q. How many do you operate?

5 A. I operate two.

6 Q. You're aware that your certificate of authority

7 to operate was cancelled March 8th, correct?

8 A. Yeah, I'm aware of it.

9 Q. But you continued to send your vans to the

10 airport, correct?

11 A. No. That's what I just explained to the

12 honorable. I did not operate when it was cancelled

13 until June, so -- but I have to move them around. I

14 have to move them from my house, because that's where I

15 park them, and Ford knows that.

16 When I did -- they know my address. When I did

17 the application, they asked me, where do you park your

18 car, all those things, so they have everything on file.

19 So when they send me intent to repossess those vehicles,

20 so I decide to move them to my cousin who lives very,

21 very close to the airport --

22 Q. Okay.

23 A. -- so --

24 Q. Thank you. You also sent your vans to the

25 waterfront to pick up passengers, correct?

0200

1 A. Yes, sir.

2 Q. Now, even before your authority was cancelled,

3 so before March 8th, you weren't supposed to pick up

4 people at the waterfront, were you?

5 A. When they call me, when they call me, I go and

6 pick up.

7 Q. No matter where they are?

8 A. Yeah, no matter where they are. But I don't --

9 I don't have a scheduled departure, because I use those

10 calls on the charter, on my -- under my charter

11 certificate.

12 Q. So if someone calls you from the city of Everett

13 and they need to go to the airport, will you take them

14 from Everett to the airport?

15 A. Yes. When they call me and make an arrangement.

16 Q. How long have you been doing such service where

17 they call you, and wherever they are, you take them?

18 A. I've been doing this for almost -- since 1999.

19 Since 1999.

20 Q. And since then, you go wherever they call you

21 from?

22 A. Yes. When they call, sometimes -- because some

23 customer call you to take them to Vancouver, BC, to take

24 them to Vancouver, Washington, or Portland. So when

25 they call you, or when they call me, I go and take.

0201

1 Q. Have you taken anyone to Spokane?

2 A. Oh, yes, I did, sir.

3 Q. Okay.

4 A. But on-call. On-call.

5 Q. You're aware that your certificate for authority

6 to operate was a limited certificate, correct?

7 A. Yes, sir.

8 Q. So your certificate was only to -- or only from

9 and to three places, and I think the Westin, two

10 casinos, to and from the airport?

11 A. Yes, but those are -- if I can say something,

12 Mr. O'Connell -- O'Connell -- these are scheduled

13 departures, which means I have certain time that I

14 leave. So I operate under what's called on those -- on

15 that permit which allows me to pick up those three

16 places.

17 MR. O'CONNELL: I think those are all of my

18 questions, your Honor. Thank you.

19 JUDGE PEARSON: Okay.

20 MR. O'CONNELL: Thank you, Mr. Maurou.

21 JUDGE PEARSON: Okay. Thank you.

22 So Staff, do you have anything further

23 before we conclude today? And I think it was -- I

24 understand what Staff's recommendation is, and it's up

25 to you whether you have anything additional to say now

0202

1 that Mr. Maurou has presented his case, or if you --

2 MR. O'CONNELL: Understanding that

3 your Honor has already been presented with a

4 recommendation of Staff, I did have one clarifying

5 statement to make as closing.

6 JUDGE PEARSON: Okay.

7 MR. O'CONNELL: And that is to address a

8 certain part of the timeline that Mr. Pratt touched

9 upon, but to help explain Staff's position on that

10 timeline, especially concerning the time between

11 March 8th and April 9th.

12 As your Honor is aware, because it's ordered

13 in this docket, the Order 01 in TC-152296 was appealed

14 by Mr. Maurou, and that administrative appeal took some

15 time, and Order 02 was issued by the Commission on

16 May 12th.

17 So until May 12th, Staff didn't know whether

18 the cancellation would be upheld by the Commission. At

19 that time, there was -- so there was a delay caused by

20 the necessity of giving due process to Mr. Maurou's

21 request for administrative appeal.

22 Shortly thereafter, Staff considered the

23 conditions included in that Order 02, which required

24 certain things to be given by the Company before their

25 reinstatement application could be processed. So in

0203

1 between the time of March 8th and the time of the Order

2 02 being issued, Staff didn't know what those

3 requirements were of the reinstatement application that

4 the -- you know, the Commission only issued on May 12th.

5 And with that clarification, I think

6 your Honor has all of the information and evidence

7 before her.

8 Thank you.

9 JUDGE PEARSON: Okay. Thank you.

10 And Mr. Maurou, thank you for coming here

11 today.

12 MR. MAUROU: No problem.

13 JUDGE PEARSON: I appreciate you coming and

14 explaining your side of the story, and I also appreciate

15 all of the work that Staff did.

16 So if we don't have anything further, then

17 as I explained, I will take everything under advisement

18 and issue an order within the next ten days explaining

19 my decision.

20 MR. MAUROU: Okay.

21 JUDGE PEARSON: All right. Thank you then.

22 We are adjourned.

23 MR. O'CONNELL: Thank you, your Honor.

24 MR. MAUROU: Thank you, your Honor.

25 (Hearing concluded at 4:10 p.m.)

0204

1 C E R T I F I C A T E

2

3 STATE OF WASHINGTON )

) ss.

4 COUNTY OF KING )

5

6

7 I, ANITA W. SELF, a Certified Shorthand Reporter

8 in and for the State of Washington, do hereby certify

9 that the foregoing transcript is true and accurate to

10 the best of my knowledge, skill and ability.

11 IN WITNESS WHEREOF, I have hereunto set my hand

12 and seal this 25th day of July, 2016.

13

14

15

16 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

17 ANITA W. SELF, RPR, CCR #3032

18

19

20

21

22

23

24

25