

Docket No. TV-180772 - Vol I

WUTC v. 3Z Movers LLC, et al.

November 26, 2018



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Page 1

1 BEFORE THE WASHINGTON
 2 UTILITIES AND TRANSPORTATION COMMISSION

4 WASHINGTON UTILITIES AND)DOCKET NO. TV-180772
 TRANSPORTATION COMMISSION,)
 5 Complainant,)
 6 vs.)
 7 3Z MOVERS LLC, A-1 PIANO SALES)
 & RENTALS, INC., ABC MOVERS)
 8 SEATTLE, LLC, ALL ALASKA THRU)
 9 VAN, INC., ALL SEASONS MOVING)
 HAULING & MORE, INC., ALL STAR)
 10 TRANSFER, LARON WILLIAMS, INC.,) *Caption Continued

12 HOUSEHOLD GOODS REVOCATION HEARING, VOLUME I
 13 Pages 1-37
 14 ADMINISTRATIVE LAW JUDGE NELLI DOROSHKIN

16 November 26, 2018
 17 1:30 p.m.

18 Washington Utilities and Transportation Commission
 1300 South Evergreen Park Drive Southwest
 19 Olympia, Washington 98504

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Page 2

1 AMERICAN MOVING CO., INC.)
 2 ANDERSON, DAVID GM., ARAYS))
 MOVING SERVICE LLC, BM))
 3 COBB LOGISTICS LLC, BUI CUONG T.,))
 DELTA TRUCKING, BUI CUONG T.,))
 4 DELTA TRUCKING, CHEN,))
 DELIGHTFULLY NORTHWEST, INC.,))
 5 DUTCH MOVING & STORAGE, INC.,))
 6 JIMMY'S MOVING & STORAGE, INC.,))
 KIDNEY'S MOVING & STORAGE, INC.,))
 7 KIDNEY'S MOVING & STORAGE, INC.,))
 8 KIDNEY'S MOVING & STORAGE, INC.,))
 9 KIDNEY'S MOVING & STORAGE, INC.,))
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 23 KIDNEY'S MOVING & STORAGE, INC.,))
 24 KIDNEY'S MOVING & STORAGE, INC.,))
 25 KIDNEY'S MOVING & STORAGE, INC.,))
 Respondents.)

Page 3

1 A P P E A R A N C E S
 2 ADMINISTRATIVE LAW JUDGE:
 3 NELLI DOROSHKIN
 4 Washington Utilities and
 Transportation Commission
 5 1300 South Evergreen Park Drive SW
 Olympia, Washington 98504
 6 (360) 664-1160

7 FOR COMMISSION STAFF:
 8 HARRY O. FUKANO
 9 Assistant Attorney General
 PO Box 40128
 10 Olympia, Washington 98504
 (360) 664-1225
 11 harry.fukano@utc.wa.gov

12 ALSO PRESENT:
 13 BENJAMIN M. SHARBONO
 14 Staff Witness
 15 LARS KALDESTAB
 16 DAVID ANDERSON
 17 BOUBACAR ZIDA

19 * * * * *

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1 EXAMINATION INDEX
 2 BENJAMIN SHARBONO PAGE
 3 By Mr. Fukano. 10, 16, 32, 35

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 6 EXHIBIT INDEX
 7 EXHIBITS FOR ADMISSION PAGE
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 page for Seattle Moves & More
 9 BMS-3, Subpart X Screen print of regulatory 15
 fee
 10 BMS-4 Information regarding the 30
 companies who cancelled their
 11 permits
 12
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 14
 15
 16
 17
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 19
 20
 21
 22
 23
 24
 25

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1 OLYMPIA, WASHINGTON; NOVEMBER 26, 2018
 2 1:30 P.M.
 3 --oOo--
 4 P R O C E E D I N G S
 5
 6 JUDGE DOROSHKIN: Okay. Let's start the
 7 record. It is 1:30 p.m. on November 26th, 2018, which
 8 is the time set for hearing the Commission's complaint
 9 against 55 household goods carriers in Docket TV-180772.
 10 The complaint seeks to cancel permits of these household
 11 goods carriers for failure to file annual reports and
 12 pay applicable regulatory fees.
 13 My name is Nelli Doroshkin, and I am the
 14 administrative law judge presiding over this proceeding.
 15 So we will begin by taking appearances from
 16 the parties beginning with Commission Staff, please.
 17 MR. FUKANO: Good morning. Harry Fukano,
 18 Assistant Attorney General, with the Utilities and
 19 Transportation Commission division, here on behalf of
 20 Commission Staff.
 21 JUDGE DOROSHKIN: Okay. And then I see that
 22 there are two parties sitting in the hearing room.
 23 MR. KALDESTAD: I'm one party, they're
 24 another party.
 25 JUDGE DOROSHKIN: You're another party?

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1 Okay. Can you just briefly state the name of your
 2 company?
 3 MR. ANDERSON: David -- well, Anderson Piano
 4 Service, but it's listed under David Anderson.
 5 JUDGE DOROSHKIN: And this would -- would
 6 this be A-1 Piano Sales & Rentals, Inc.?
 7 MR. ANDERSON: No, it's just listed under
 8 David --
 9 MR. SHARBONO: Anderson, David GM.
 10 JUDGE DOROSHKIN: Okay. Okay. And then --
 11 MR. KALDESTAD: Lars Kaldestad with Seattle
 12 Moves & More.
 13 JUDGE DOROSHKIN: Seattle Movers.
 14 MR. KALDESTAD: Seattle Moves & More. There
 15 actually is a Seattle Movers and they're --
 16 JUDGE DOROSHKIN: Yeah. Okay. And your
 17 name was?
 18 MR. KALDESTAD: Lars, L-a-r-s.
 19 JUDGE DOROSHKIN: Okay. All right. And I
 20 will get the exact spelling of your name later. This is
 21 just to know who is in the room.
 22 Okay. Is anyone on the bridge line? Is
 23 anyone -- is anyone on the bridge line? Okay. Hearing
 24 nothing, let's proceed.
 25 So first I'll ask Staff if you're moving

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1 to -- if you're going to move to dismiss any of the
 2 complaints -- or complaints -- any of the companies
 3 named in the complaints.
 4 MR. FUKANO: Yes, we would move to dismiss a
 5 total of I believe -- yes, we do have several dismissals
 6 to make. 32 who have come into compliance and seven who
 7 have since cancelled.
 8 JUDGE DOROSHKIN: Okay. So that's 39 total?
 9 MR. FUKANO: Yes.
 10 JUDGE DOROSHKIN: Okay. And are any of
 11 those companies in the room here?
 12 MR. FUKANO: Yes, Seattle Moves & More is
 13 present.
 14 JUDGE DOROSHKIN: Okay. So that's in
 15 compliance. Let's see. All right. Then let's -- would
 16 you like to go ahead and present what you have for
 17 Seattle Moves?
 18 MR. FUKANO: Yes, and it's largely similar
 19 to the evidence for the remainder of the companies.
 20 They are contained in the -- Staff has prepared evidence
 21 that 32 of the companies originally named in the
 22 complaint have properly filed an annual report. That
 23 report was -- is designated and proposed as BMS-2 with
 24 32 subparts to that. Staff has also prepared evidence
 25 that 32 of the companies originally named in the

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1 complaint have properly submitted regulatory fees, which
 2 is currently labeled and proposed BMS-3 with 32
 3 subparts. Both BMS-2 and BMS-3 include subparts
 4 relevant to Seattle Moves & More.
 5 JUDGE DOROSHKIN: Okay. Just one minute
 6 there.
 7 I think I heard someone on the bridge line.
 8 Is there -- no, okay.
 9 Please continue.
 10 MR. FUKANO: And if the -- well, I wasn't
 11 sure what level of kind of examination you prefer, but
 12 if you would accept to move to admit BMS-2 and 3 and
 13 then move to dismiss the 32 companies contained therein
 14 from the complaint. And I can enumerate which companies
 15 are included.
 16 JUDGE DOROSHKIN: Okay. And do -- I'm
 17 sorry, which of these exhibits concern Seattle Moves?
 18 MR. FUKANO: Specifically for Seattle Moves
 19 & More, it would be BMS-2, Subpart V, and BMS-3, Subpart
 20 X.
 21 JUDGE DOROSHKIN: Could you please walk
 22 through those specifically?
 23 MR. FUKANO: Yes.
 24 JUDGE DOROSHKIN: And then we'll allow the
 25 party time to respond.

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1 MR. FUKANO: And would you like to do so
 2 from my witness?
 3 JUDGE DOROSHKIN: Certainly.
 4 MR. FUKANO: I would like to call
 5 Mr. Benjamin Sharbono to the stand, then.
 6 JUDGE DOROSHKIN: Sorry, what was your name?
 7 MR. SHARBONO: Benjamin Sharbono,
 8 representing Staff.
 9 MR. FUKANO: I'm showing the witness what
 10 have been previously -- or first I should...
 11 JUDGE DOROSHKIN: All right. Mr...
 12 MR. FUKANO: I'm going to move to have
 13 Mr. Sharbono sworn.
 14 JUDGE DOROSHKIN: And is it Charbono?
 15 MR. SHARBONO: Sharbono.
 16 JUDGE DOROSHKIN: Charbono.
 17 MR. SHARBONO: Sh.
 18 JUDGE DOROSHKIN: Can you spell that,
 19 please?
 20 MR. SHARBONO: S-h-a-r-b-o-n-o.
 21 JUDGE DOROSHKIN: Okay. Can you please
 22 stand and raise your right hand.
 23 (Benjamin Sharbono sworn.)
 24 JUDGE DOROSHKIN: Thank you. Please sit.
 25 Go ahead, Mr. Fukano.

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EXAMINATION OF SHARBONO / FUKANO

1 EXAMINATION
 2 BY MR. FUKANO:
 3 Q. Good morning, Mr. Sharbono. How are you
 4 currently employed?
 5 **A. I'm currently employed with the Washington**
 6 **Utility and Regulation Commission as a regulatory**
 7 **analyst specific to annual reports.**
 8 Q. And how long have you had that position?
 9 **A. One year.**
 10 Q. And what does that position involve?
 11 **A. The position involves reviewing and looking at**
 12 **annual reports that are submitted to the Commission**
 13 **determining if they are complete and notifying the**
 14 **companies if they are incomplete, letting the -- them**
 15 **know what corrections need to be made. And also**
 16 **reviewing to see if they have made payments for their**
 17 **annual regulatory fees.**
 18 THE COURT REPORTER: And can I have you
 19 speak up just a little bit, please?
 20 MR. SHARBONO: Yes.
 21 THE COURT REPORTER: Thank you.
 22 MR. SHARBONO: Sorry.
 23 MR. FUKANO: I'm showing the witness what
 24 has previously been labeled as Exhibit BMS-2, Subpart V.
 25 BY MR. FUKANO:

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EXAMINATION OF SHARBONO / FUKANO

1 Q. What is this exhibit?
 2 **A. This exhibit would be the cover page and the**
 3 **signature page from the annual report for Seattle Moves**
 4 **& More.**
 5 Q. And are you familiar with this exhibit?
 6 **A. Yes.**
 7 Q. And how are you familiar with this exhibit?
 8 **A. This exhibit was submitted to me as an annual**
 9 **report for the company that I reviewed and had discussed**
 10 **with the owner of the company.**
 11 Q. And was that exhibit properly filed?
 12 **A. Yes.**
 13 Q. Thank you.
 14 MR. FUKANO: I am showing the witness what
 15 has previously been labeled as BMS-3, Subpart X.
 16 BY MR. FUKANO:
 17 Q. What is this exhibit?
 18 **A. This exhibit is the screen print from the**
 19 **Commission's revenue system that shows that the company**
 20 **had paid a regulatory fee of \$270.25 on 5/1/2018.**
 21 Q. And are you familiar with this exhibit?
 22 **A. Yes.**
 23 Q. How are you familiar with this exhibit?
 24 **A. I am familiar with our -- our revenue tracking**
 25 **system and how to locate information within it and**

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EXAMINATION OF SHARBONO / FUKANO

1 created this screen print to show evidence that the
 2 company had actually paid.
 3 Q. So has Seattle Moves & More properly filed or
 4 submitted regulatory fees?
 5 **A. Yes.**
 6 Q. Thank you.
 7 MR. FUKANO: With that evidence, I would
 8 move that Seattle Moves & More be dismissed from the
 9 complaint.
 10 JUDGE DOROSHKIN: Okay. Seattle Moves, do
 11 you have anything to respond to or state that you would
 12 like to say?
 13 MR. KALDESTAD: I do, and first of all, I --
 14 JUDGE DOROSHKIN: Okay. Can you come --
 15 please come up here.
 16 MR. KALDESTAD: Yeah.
 17 JUDGE DOROSHKIN: You will be sworn in.
 18 MR. KALDESTAD: Oh, yeah, no problem.
 19 JUDGE DOROSHKIN: And can you please state
 20 your name again and spell it out?
 21 MR. KALDESTAD: Absolutely. Lars Kaldestad.
 22 First name Lars --
 23 THE COURT REPORTER: Can you use the
 24 microphone, please? Just hit the button.
 25 MR. KALDESTAD: Even though I'm talking loud

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1 enough, you still need me to use the microphone?
 2 THE COURT REPORTER: Yes, please.
 3 JUDGE DOROSHKIN: Yeah.
 4 MR. KALDESTAD: Okay. Yeah, this is my
 5 first time doing this. So just click it here?
 6 Off and running. First name Lars, L-a-r-s,
 7 last name Kaldestad, K-a-l-d-e-s-t-a-d, with Seattle
 8 Moves & More.
 9 JUDGE DOROSHKIN: Okay. And what is your
 10 position with the company?
 11 MR. KALDESTAD: Owner.
 12 JUDGE DOROSHKIN: You're the owner?
 13 MR. KALDESTAD: I'm the owner, yeah.
 14 JUDGE DOROSHKIN: Could you also please
 15 stand and raise your right hand.
 16 MR. KALDESTAD: Yeah, of course.
 17 (Lars Kaldestad sworn.)
 18 JUDGE DOROSHKIN: Thank you. Please sit
 19 down.
 20 MR. KALDESTAD: So first, I just want to
 21 thank these gentlemen for giving this information. I
 22 also had proof, but that was -- he had all the technical
 23 terms there. So my next issue that -- or what I wanted
 24 to address and figure out while I'm down here,
 25 associated with these fines, associated with this

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1 finding, is a thousand dollar fine, but as you heard,
 2 everything has been completed and sent. So I just don't
 3 know how it looks from here, how to get the fine dropped
 4 because everything is done.
 5 So I came down here, took my own time, and
 6 just wanted to -- to figure that out and clarify that.
 7 And so I'm glad that basically what this situation is,
 8 is my moving permit was going to be cancelled if this
 9 was not completed. The regulatory fee, as you heard,
 10 was paid as well as the report was also filed. So I
 11 don't know who I have to talk to because I'm learning
 12 through this process, but I have still a standing
 13 thousand dollar fine, which I'm going to be asked to be
 14 removed because I provided everything that was
 15 necessary.
 16 JUDGE DOROSHKIN: Okay. Mr. Kaldestad --
 17 MR. KALDESTAD: Yeah.
 18 JUDGE DOROSHKIN: -- just for now, do you
 19 have any objections to the exhibits that were presented?
 20 MR. KALDESTAD: No, not at all.
 21 JUDGE DOROSHKIN: No, okay.
 22 MR. KALDESTAD: Yeah, yeah.
 23 JUDGE DOROSHKIN: So, Mr. Fukano, you had
 24 asked -- you had moved to admit the exhibits?
 25 MR. FUKANO: Yes.

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1 JUDGE DOROSHKIN: BMS-2, Subpart V, and then
 2 BMS-3, Subpart X?
 3 MR. FUKANO: Yes.
 4 JUDGE DOROSHKIN: Okay. So given that there
 5 are no objections, I will admit these exhibits as
 6 designated.
 7 (Exhibit Nos. BMS-2, Subpart V, and BMS-3,
 8 Subpart X admitted.)
 9 MR. KALDESTAD: Thank you for that, Your
 10 Honor.
 11 MR. FUKANO: And would the Court also accept
 12 the other exhibit subparts for BMS-2 and BMS-3 for the
 13 remainder of the portion as well or should we go through
 14 those?
 15 JUDGE DOROSHKIN: Let's -- yeah, let's --
 16 actually, let's go through those not in any detail. If
 17 you could just give a summary of those and just state
 18 the names of the companies involved as well.
 19 MR. FUKANO: Okay.
 20 MR. KALDESTAD: Am I done for now, then, up
 21 here?
 22 JUDGE DOROSHKIN: Please stay seated up
 23 here.
 24 MR. KALDESTAD: Okay.
 25 JUDGE DOROSHKIN: We will get right back to

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EXAMINATION OF SHARBONO / FUKANO

1 you.
 2 MR. KALDESTAD: Okay.
 3 MR. FUKANO: I am showing Mr. Sharbono what
 4 has previously been identified as BMS-2 with all
 5 subparts.
 6
 7 FURTHER EXAMINATION
 8 BY MR. FUKANO:
 9 Q. Okay. Which company has -- is identified in
 10 BMS-2(a)?
 11 A. **3Z Movers LLC.**
 12 Q. And 2(b)?
 13 A. **A-1 Piano Sales & Rentals, Incorporated.**
 14 Q. 2(c)?
 15 A. **ABC Movers, LLC.**
 16 Q. 2(d)?
 17 JUDGE DOROSHKIN: Sorry, is that ABC Movers
 18 Seattle, LLC?
 19 THE WITNESS: ABC Movers, LLC.
 20 JUDGE DOROSHKIN: Okay.
 21 BY MR. FUKANO:
 22 Q. 2(d)?
 23 THE WITNESS: It appears that, yes, it would
 24 be ABC Movers Seattle, LLC.
 25 JUDGE DOROSHKIN: Okay.

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EXAMINATION OF SHARBONO / FUKANO

1 THE WITNESS: On our company list.

2 **A. 2(d) is All Alaska Thru Van.**

3 BY MR. FUKANO:

4 Q. 2(e)?

5 **A. All Seasons Moving Hauling & More, Incorporated.**

6 Q. 2(f)?

7 **A. American Moving Company.**

8 Q. 2(g)?

9 **A. Arays Moving Service LLC.**

10 Q. 2(h)?

11 **A. East Side Van & Storage Company, Incorporated.**

12 Q. 2(i)?

13 **A. Established Moving & Storage of Seattle,**

14 **Incorporated.**

15 Q. 2(j)?

16 **A. First Due, Incorporated.**

17 Q. 2(k)?

18 **A. Full House Movers.**

19 Q. 2(l)?

20 **A. Homestead Move and Estate Services.**

21 Q. 2(m)?

22 **A. King Moving & Storage, Incorporated.**

23 Q. 2(n)?

24 **A. McClaine, Steven R.**

25 Q. 2(o)?

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EXAMINATION OF SHARBONO / FUKANO

1 **A. Moving & Storage Solutions.**

2 Q. 2(p)?

3 **A. North Coast Moving and Storage Company, LLC.**

4 Q. 2(q)?

5 **A. Pacific Movers, Incorporated.**

6 Q. 2(r)?

7 **A. Paul's Transfer, Incorporated.**

8 Q. 2(s)?

9 **A. Prestige Moving & Storage.**

10 Q. 2(t)?

11 **A. Puget Sound Delivery Guys, LLC.**

12 Q. 2(u)?

13 **A. Redefyne Moving LLC.**

14 Q. 2(v)?

15 **A. Seattle Moves & More LLC.**

16 Q. 2(w)?

17 **A. Specialty Moving, Incorporated.**

18 Q. 2(x)?

19 **A. Star Moving systems.**

20 **JUDGE DOROSHKIN: Is that on the -- I'm**

21 **sorry, on the company list Star Moving & Storage, Inc.?**

22 **I'll take a look at Exhibit Y.**

23 THE WITNESS: Yes, Star Moving & Storage,

24 Incorporated.

25 BY MR. FUKANO:

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EXAMINATION OF SHARBONO / FUKANO

1 Q. 2 Zed or Z?

2 **A. TLC Moving and Storage, Incorporated.**

3 Q. 2 double A?

4 **A. I'm going to butcher this, Trefethen & Company,**

5 **Incorporated.**

6 THE WITNESS: That is spelled

7 T-r-e-f-e-t-h-e-n.

8 BY MR. FUKANO:

9 Q. 2 double V?

10 **A. Two Men and a Moving Van LLC.**

11 Q. 2 double Z?

12 **A. We Like to Move It, Move It!! LLC.**

13 Q. 2 double D?

14 **A. Yakima Transfer & Storage Company.**

15 Q. 2 double E?

16 **A. King's Professional Moving, also known as Chen,**

17 **Andy.**

18 Q. 2 double F?

19 **A. Major Movers LLC.**

20 Q. And 2 double H?

21 **A. Friends & Family Moving & Storage, Incorporated.**

22 Q. Have all of the previously named companies

23 properly filed an annual report?

24 **A. Yes.**

25 MR. FUKANO: Okay. I'm handing the witness

Page 20

EXAMINATION OF SHARBONO / FUKANO

1 what has previously been identified as BMS-3.

2 BY MR. FUKANO:

3 Q. And which company is listed in BMS-3(a)?

4 **A. In BMS-3(a), 3Z Movers LLC.**

5 **JUDGE DOROSHKIN: Mr. Fukano, we don't need**

6 **to go through the list of companies for both of the --**

7 MR. FUKANO: Okay.

8 JUDGE DOROSHKIN: -- sets of exhibits. If

9 you would give me the copies.

10 MR. FUKANO: Yes.

11 JUDGE DOROSHKIN: All right. Mr. Kaldestad,

12 you had mentioned a penalty. My understanding is that

13 that would not have been issued in this docket. Do you

14 recall when you received this notice of this penalty?

15 MR. KALDESTAD: It was quite recently. I

16 did leave the paper at my -- at my home, residence up in

17 Seattle. I believe I got it, like I said, recently, one

18 to two weeks possibly. So yeah, in this last little

19 period -- in this last little period of time, there's

20 been a small -- we've had like a small issue with our

21 mailbox down in our -- we have a yard, and the mailbox

22 situation is still getting figured out. So sometimes

23 mail, if someone is not there, as you know, it will

24 get -- it will get sent to the local, you know, like

25 post office where you pick it up. So I'm not -- not

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1 sure if something like that happened, but I'm aware of
 2 it now and it was part of the reason why I wanted to be
 3 down here and be representation on behalf of the
 4 company.
 5 JUDGE DOROSHKIN: Okay. Thank you.
 6 MR. KALDESTAD: Yeah, yeah.
 7 JUDGE DOROSHKIN: We will take a short
 8 recess right now.
 9 MR. KALDESTAD: Okay.
 10 JUDGE DOROSHKIN: And then get back to the
 11 hearing.
 12 MR. KALDESTAD: Great.
 13 (A break was taken from
 14 1:50 p.m. to 1:53 p.m.)
 15 JUDGE DOROSHKIN: All right. Let's be back
 16 on the record.
 17 Mr. Kaldestad, if you could please take a
 18 seat up here.
 19 MR. KALDESTAD: Of course.
 20 JUDGE DOROSHKIN: So whatever notice that
 21 you received is not subject to this hearing. So you
 22 received a notice of this hearing regarding a permit
 23 revocation, right?
 24 MR. KALDESTAD: Exactly.
 25 JUDGE DOROSHKIN: Which is what we have

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1 discussed here and anything else -- the notice that you
 2 received should provide detail and possible payment
 3 plans or other -- other possible resolutions of that
 4 issue. But that is outside the scope of this
 5 proceeding.
 6 MR. KALDESTAD: The re- -- am I still --
 7 okay. Because we're addressing the exact issue, the
 8 fine is based exactly what we're talking of right here.
 9 This is a two-hour drive for me each way, so that's part
 10 of the reason why I want to address it today. We're all
 11 here right now, and so this is my first time down here.
 12 I'm learning and seeing how this system works.
 13 JUDGE DOROSHKIN: Right. Mr. Kaldestad, I
 14 am not the administrative law judge assigned to that
 15 proceeding, so I will not --
 16 MR. KALDESTAD: Gotcha.
 17 JUDGE DOROSHKIN: -- be remarking on your
 18 penalty assessment.
 19 MR. KALDESTAD: Gotcha.
 20 JUDGE DOROSHKIN: And whatever notice you
 21 may have received.
 22 MR. KALDESTAD: Gotcha, okay. While I'm
 23 here, after this, I will try to figure out, because I
 24 don't know how that's gonna work. Is there gonna be
 25 another hearing like there is now to --

Page 23

1 JUDGE DOROSHKIN: I encourage you to take a
 2 close look at the --
 3 MR. KALDESTAD: Yeah.
 4 JUDGE DOROSHKIN: -- notice that you
 5 received and take a look at possible resolutions that
 6 are detailed in that notice.
 7 MR. KALDESTAD: Okay. And is there anyone
 8 here that you spoke with in that recess that I could
 9 talk to? Because I legitimately don't know who to talk
 10 to. I'll go back and look at the letter, but like I
 11 said, I'm here now --
 12 JUDGE DOROSHKIN: The letter should provide
 13 you --
 14 (Multiple speakers).
 15 JUDGE DOROSHKIN: -- contact information.
 16 MR. KALDESTAD: Gotcha. I just don't have
 17 the letter with me so...
 18 JUDGE DOROSHKIN: Okay. I would encourage
 19 you to go back and look at that letter. Could you
 20 please take a seat?
 21 MR. KALDESTAD: Yes.
 22 JUDGE DOROSHKIN: Are you done?
 23 MR. KALDESTAD: I am.
 24 JUDGE DOROSHKIN: Okay.
 25 JUDGE KALDESTAD: Am I done here, then, with

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1 this? So I don't have to wait around any longer, do I?
 2 Gotcha. Okay. Thank you. Appreciate it.
 3 JUDGE DOROSHKIN: And I notice that another
 4 party may have entered the hearing room.
 5 Can you just briefly introduce yourself?
 6 MR. ZIDA: Boubacar Zida with 3Z Movers.
 7 JUDGE DOROSHKIN: With which movers?
 8 MR. ZIDA: 3Z Movers.
 9 JUDGE DOROSHKIN: Oh, 3Z Movers, okay.
 10 And that was in the motion for dismissal?
 11 MR. FUKANO: Yes.
 12 JUDGE DOROSHKIN: Okay. All right. Oh,
 13 since that does concern the motion for -- so Staff
 14 presented evidence of compliance, so submission of the
 15 annual report and receipt of -- of the regulatory fee.
 16 If you'd like to respond to that, you have an
 17 opportunity to do so, but you're not obligated to do so.
 18 MR. ZIDA: I would leave it with them.
 19 JUDGE DOROSHKIN: Okay. All right. Please
 20 take a seat.
 21 And then Mr. David Anderson is it?
 22 MR. ANDERSON: Yes.
 23 JUDGE DOROSHKIN: Please come up.
 24 MR. ANDERSON: Hi. I had received notice --
 25 JUDGE DOROSHKIN: And, I'm sorry, did you

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1 get the name for Mr. Anderson?
 2 THE COURT REPORTER: Yes.
 3 JUDGE DOROSHKIN: And you are the owner?
 4 MR. ANDERSON: Yes.
 5 JUDGE DOROSHKIN: All right.
 6 MR. ANDERSON: And I was --
 7 JUDGE DOROSHKIN: Mr. Anderson, could I --
 8 could you please stand up? I'll swear you in if you're
 9 going to be presenting testimony.
 10 (David Anderson sworn.)
 11 JUDGE DOROSHKIN: Please sit down.
 12 MR. ANDERSON: And this probably is a
 13 question for Mr. Sharbono, but I was under the
 14 impression because I moved pianos specifically and no
 15 other furniture, but just musical instruments, pianos
 16 and organs, that in reviewing the question and answers
 17 section of the filing annual report, there was the
 18 question who has to file. And who has to file was the
 19 household goods carriers, but not common carriers,
 20 and -- but in looking at my tariff, I see that I am a
 21 household goods tariff. So I probably need to address
 22 with UTC of a different tariff because I'm not a
 23 household goods carrier.
 24 MR. FUKANO: If Mr. Anderson is -- wants to
 25 relinquish his household goods permit, then Staff would

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1 likely have no objection.
 2 JUDGE DOROSHKIN: Okay. And, Mr. Anderson,
 3 would you like to do that?
 4 MR. ANDERSON: What does that require and
 5 what is the ramifications of that?
 6 MR. FUKANO: I would need to speak with
 7 Staff, Mr. Dotson, to get more information about that.
 8 JUDGE DOROSHKIN: Okay. So, Mr. Anderson, I
 9 understand that you -- you're unsure whether or not
 10 you'd like to keep your permit?
 11 MR. ANDERSON: I need a permit, but I may
 12 have the wrong one.
 13 JUDGE DOROSHKIN: Okay.
 14 MR. ANDERSON: But I -- I'm not sure -- I
 15 went through with the DOT, and we went through this
 16 whole hassle, and they identified that I was not a
 17 household common good or household carrier, that I was
 18 common. And so yeah, that's -- that's what brought this
 19 up, well, maybe I'm in the wrong tariff.
 20 JUDGE DOROSHKIN: Let's take a short recess
 21 here.
 22 (A break was taken from
 23 1:59 p.m. to 2:02 p.m.)
 24 JUDGE DOROSHKIN: Let's be back on the
 25 record.

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1 So, Mr. Anderson, as I stated earlier, this
 2 proceeding is about your household goods carrier permit.
 3 If -- because you maintained a household goods carrier
 4 permit, you need to file an annual report in 2018.
 5 MR. ANDERSON: Which I have today.
 6 JUDGE DOROSHKIN: You filed it today?
 7 MR. ANDERSON: No, I have -- I have it here.
 8 JUDGE DOROSHKIN: Okay.
 9 MR. ANDERSON: I brought it.
 10 JUDGE DOROSHKIN: You brought your permit,
 11 right. And you have to file your annual report.
 12 MR. ANDERSON: And I brought the annual
 13 report file -- oh, I mean ready to file.
 14 JUDGE DOROSHKIN: Ah, ready to file.
 15 MR. ANDERSON: Here today.
 16 JUDGE DOROSHKIN: Okay. And has Staff had a
 17 chance to review that filing? Has it been presented to
 18 Staff?
 19 MR. FUKANO: Staff has not had an
 20 opportunity to review that.
 21 JUDGE DOROSHKIN: Okay.
 22 MR. FUKANO: But if the Court would prefer,
 23 we could take a brief moment to examine it.
 24 JUDGE DOROSHKIN: Yes, let's do that.
 25 MR. FUKANO: About five minutes?

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1 JUDGE DOROSHKIN: Five minutes, okay. We
 2 will take another five minutes.
 3 (A break was taken from
 4 2:03 p.m. to 2:06 p.m.)
 5 JUDGE DOROSHKIN: Let's be back on the
 6 record.
 7 So, Mr. Anderson, has Staff reviewed your
 8 application?
 9 MR. ANDERSON: They have.
 10 JUDGE DOROSHKIN: Report, okay.
 11 MR. ANDERSON: And accepted.
 12 JUDGE DOROSHKIN: And accepted, okay.
 13 And, Staff, have you reviewed it and --
 14 MR. FUKANO: Yes, Staff has reviewed and
 15 accepted the report.
 16 JUDGE DOROSHKIN: Was there regulatory fees
 17 as well?
 18 MR. FUKANO: In -- in -- in the process of.
 19 He has not yet paid, but will pay after the hearing.
 20 JUDGE DOROSHKIN: Okay. So will Staff be
 21 making any motions?
 22 MR. FUKANO: Just to confirm that the 32
 23 companies identified in BMS-2 and BMS-3 are dismissed
 24 from the complaint for compliance.
 25 JUDGE DOROSHKIN: But none as to David

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1 Anderson?

2 MR. FUKANO: Well, given that the payment

3 has not yet been received, I thought it would be

4 premature to recommend that.

5 JUDGE DOROSHKIN: All right. Is anyone else

6 on the bridge line? No. I thought I heard something

7 coming in.

8 MR. FUKANO: Okay. But if the Court would

9 have another five-minute recess, we may be able to

10 process that payment now and clear it up.

11 JUDGE DOROSHKIN: Oh, okay. Sure. We can

12 go ahead and try and do that.

13 MR. FUKANO: Thank you.

14 (A break was taken from

15 2:07 p.m. to 2:19 p.m.)

16 JUDGE DOROSHKIN: Let's be on the record.

17 MR. FUKANO: Thank you. Staff would like to

18 augment BMS-2 and BMS-3 with Subparts double Z

19 reflecting Mr. David GM Anderson's filed report and paid

20 regulatory fees.

21 JUDGE DOROSHKIN: Okay. Okay. I'll admit

22 the augmented report if I could take a look at that

23 first.

24 Mr. Fukano, can you briefly recite the seven

25 names of the companies who cancelled their permits?

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1 MR. FUKANO: Yes, the companies that have

2 cancelled their permits are BM Logistics LLC;

3 BUI -- apologies if the pronunciation is off -- Cuong T;

4 Hushland LLC; McNeight Express, Incorporated; Orcas

5 Island Freight Lines, Incorporated; Spokane Transfer &

6 Storage Company; and Theis, T-h-e-i-s, Jake.

7 Staff has also prepared BMS-4 with the seven

8 subparts specific to each of those companies and would

9 move to admit that as well.

10 JUDGE DOROSHKIN: Okay. Could I take a look

11 at those? So I will admit BMS-4 as marked with its

12 subparts. Okay.

13 (Exhibit No. BMS-4 admitted.)

14 MR. FUKANO: And so on the basis of BMS-2, 3

15 and 4, Staff would ask that the 33 companies, including

16 David GM Anderson, be dismissed for compliance and that

17 the seven companies identified in BMS-4 be dismissed for

18 having relinquished or transferred their operating

19 authority.

20 JUDGE DOROSHKIN: Okay. Staff's motion to

21 dismiss, I'm sorry, is granted.

22 Mr. Anderson, you can please take a seat.

23 Does Staff have any other motions?

24 MR. FUKANO: Not at this time. Staff would

25 ask that the Commission find the remaining companies

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1 named on the complaint in default under RCW 34.05.440

2 and WAC 480-07-450. And Staff would also request that

3 the Commission proceed with the hearing and resolve the

4 issues before it.

5 JUDGE DOROSHKIN: Okay. So the companies

6 Staff moves to be held in default are -- and I'll recite

7 them, All Star Transfer, Laron Williams Inc; CBC

8 Trucking L.L.C.; Clutter, Inc; Delightfully Northwest,

9 Inc; Ed's Moving & Storage, Inc; Gigantic Moving &

10 Storage LLC; JFS Transport, Inc; Moseley, James; OMI,

11 Inc; Seattle Select Moving; Seattle Small Moves LLC;

12 Stallion Deliveries LLC; Streamline Furniture Delivery &

13 Moving Services, LLC; Tetris Moving Company LLC; and

14 Visionary Movers LLC; is that correct?

15 MR. FUKANO: That is correct.

16 JUDGE DOROSHKIN: Okay. Staff's motion for

17 default is granted. Mr. Fukano, would you like to

18 summarize Staff's recommendations or make any closing

19 statements?

20 MR. FUKANO: You had -- yes, do you not --

21 prefer not to have direct testimony on any of these

22 matters?

23 JUDGE DOROSHKIN: I think the summary of the

24 exhibit is sufficient.

25 MR. FUKANO: Okay. I would just -- would

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EXAMINATION OF SHARBONO / FUKANO

1 like to call my witness one more time to make a bit more

2 record if that would be appropriate.

3 JUDGE DOROSHKIN: Okay.

4 MR. FUKANO: I would like to call

5 Mr. Sharbono back to the stand.

6

7 FURTHER EXAMINATION

8 BY MR. FUKANO:

9 Q. And, Mr. Sharbono, are you familiar with how

10 Staff tracks whether a household goods company has filed

11 the required annual report for the year?

12 A. Yes.

13 Q. And are you also familiar with how Staff tracks

14 whether or not a household goods company has submitted

15 the required annual -- regulatory fees this year?

16 A. Yes.

17 Q. Which companies have failed to submit an annual

18 report this year?

19 A. Would you like me to read the list?

20 Q. Please.

21 A. All Star Transfer, Laron; Anderson, David GM,

22 which has been removed from the list; CBC Trucking

23 L.L.C.; Clutter, Incorporated; Delightfully Northwest;

24 Ed's Moving & Storage; Gigantic Moving & Storage; JFS,

25 Incorporated; OMI, Incorporated; Seattle Moves -- or

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EXAMINATION OF SHARBONO / FUKANO

1 Seattle Small Moves LLC; Stallion Deliveries LLC;
 2 Streamline Furniture Delivery & Moving Services, LLC;
 3 Tetris Moving LLC; and Visionary Movers LLC.
 4 Q. Thank you.
 5 And can you also please tell me which companies
 6 have failed to submit a regulatory fee?
 7 **A. The companies that have failed to submit an**
 8 **annual regulatory fee are All Star Transfer, Laron**
 9 **Williams; Anderson, David GM, which has been resolved;**
 10 **CBC Trucking L.L.C.; Clutter, Incorporated; Delightfully**
 11 **Northwest, Incorporated; Ed's Moving & Storage,**
 12 **Incorporated; Gigantic Moving & Storage LLC; JFS**
 13 **Transport, Incorporated; Moseley, James; OMI,**
 14 **Incorporated; Seattle Select Moving LLC; Seattle Small**
 15 **Moves LLC; Stallion Deliveries LLC; Streamline Furniture**
 16 **Delivery & Moving Services, LLC; Tetris Moving Company**
 17 **LLC; and Visionary Movers LLC.**
 18 Q. Are there any companies that have submitted
 19 either an annual report or regulatory fees but not the
 20 other?
 21 **A. Yes.**
 22 Q. Which companies are those?
 23 **A. Moseley, James has not submitted a regulatory**
 24 **fee, Select -- or Seattle Select Moving LLC has not**
 25 **submitted a regulatory fee.**

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1 MR. FUKANO: Thank you. No further
 2 questions.
 3 Washington statutes and Commission rules
 4 require household goods companies to properly file an
 5 annual report and submit regulatory fees each year.
 6 Based on the evidence today, Staff has requested that 33
 7 of the companies deemed in the complaint be dismissed
 8 from the case because they have come into compliance and
 9 to dismiss seven of the companies because they have
 10 cancelled their household goods permit.
 11 Staff has also presented evidence that 15 of
 12 the companies have failed to either properly file an
 13 annual report or submit sufficient regulatory fees.
 14 Therefore, I would ask the Commission to fine the
 15 remaining 15 companies that have failed to comply with
 16 the report and fee requirements and to take an
 17 appropriate action as the Commission sees fit. Thank
 18 you.
 19 JUDGE DOROSHKIN: Okay.
 20 MR. FUKANO: And may I actually call my
 21 witness just very briefly? I have one more question to
 22 ask.
 23 JUDGE DOROSHKIN: Yes.
 24 ////
 25 ////

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EXAMINATION OF SHARBONO / FUKANO

1 **FURTHER EXAMINATION**
 2 **BY MR. FUKANO:**
 3 Q. Mr. Sharbono, do you have a recommended penalty
 4 for the companies that have failed to submit either a
 5 report or the fee?
 6 **A. I would recommend that the Court, if they find**
 7 **fit, to allow for 48 hours for the two companies**
 8 **identified as not submitting the regulatory fee to be**
 9 **contacted and have a chance to submit their regulatory**
 10 **fee.**
 11 Q. And for the remaining companies?
 12 **A. I would recommend that the Court fine them or**
 13 **cancel them as requested by the memo.**
 14 MR. FUKANO: Thank you. No further
 15 questions.
 16 JUDGE DOROSHKIN: Okay. Those two companies
 17 were Moseley, James and Seattle Select Moves LLC?
 18 MR. FUKANO: Yeah.
 19 JUDGE DOROSHKIN: Okay. Okay. I will issue
 20 an initial order in this docket reflecting that the
 21 complaint has been dismissed against 40 companies and
 22 also reflecting that 13 companies were held in default
 23 for failing to appear today, and that number may rise to
 24 15 if Moseley, James and Seattle Select Moves LLC fail
 25 to pay their annual regulatory fee. So the record

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1 supports holding those companies in default and also
 2 cancelling their household goods carrier permits. Is
 3 there anything else?
 4 MR. FUKANO: How would the Court prefer to
 5 be notified if the two remaining companies do come into
 6 compliance?
 7 JUDGE DOROSHKIN: Email is fine to me.
 8 MR. FUKANO: Okay. Nothing further from
 9 Staff.
 10 JUDGE DOROSHKIN: Okay. Anyone else? All
 11 right. Then we are adjourned.
 12 (Adjourned at 2:31 p.m.)
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1 C E R T I F I C A T E
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3 STATE OF WASHINGTON
4 COUNTY OF THURSTON
5
6 I, Tayler Garlinghouse, a Certified Shorthand
7 Reporter in and for the State of Washington, do hereby
8 certify that the foregoing transcript is true and
9 accurate to the best of my knowledge, skill and ability.
10
11 _____
12 Tayler Garlinghouse, CCR 3358
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