

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the
Proper Carrier Classification of, and
Complaint for Penalties against:

MICHAEL S. MILLER,
D/B/A TIGER MOUNTAIN SHUTTLE
AND TIGER SHUTTLE

DOCKET TE-190828

NOTICE OF BRIEF ADJUDICATIVE
PROCEEDING

SETTING TIME FOR ORAL
STATEMENTS
**(Set for February 25, 2020,
at 1:30 p.m.)**

- 1 On November 3, 2019, the Washington Utilities and Transportation Commission (Commission) entered Order 01, Order Instituting Special Proceeding; Complaint Seeking to Impose Penalties; and Notice of Mandatory Appearance at Hearing (Order 01), initiating this docket on its own motion. The Complaint alleges Michael S. Miller, d/b/a Tiger Mountain Shuttle and Tiger Shuttle, (Tiger Shuttle or Company) violated RCW 81.70.220 by offering and advertising charter and excursion carrier services within the state of Washington without the necessary certificate required for such operations. On the same date, the Commission issued a Subpoena and Subpoena Duces Tecum for Production of Documents to the Company commanding Michael S. Miller to appear before the Commission at a special proceeding scheduled to convene at 9 a.m. on December 10, 2019, and to bring the documents specified in the subpoenas.
- 2 On December 10, 2019, Mr. Miller appeared at the special proceeding and represented that Tiger Shuttle intended to contest the allegations in the Complaint. The Commission concluded that a formal classification hearing was necessary to determine whether Tiger Shuttle has engaged, and continues to engage, in business as a charter and excursion company within the state of Washington without possessing the certificate required for such operations. The Company and Commission staff (Staff) agreed to a hearing date of February 25, 2020, at 1:30 p.m.
- 3 Pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission determines that a brief adjudicative proceeding is appropriate for resolving the issues in this docket.
- 4 **THE COMMISSION GIVES NOTICE That it will hold a brief adjudicative proceeding in this matter at 1:30 p.m. on Tuesday, February 25, 2020, in the Commission's Richard Hemstad Hearing Room, 621 Woodland Square Loop SE, Lacey, Washington.**

- 5 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.
- 6 Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide at its offices in Lacey, Washington, copies of documents in the current record for use by the parties or others who may want to review them.
- 7 Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission all proposed exhibits, as well as a list enumerating and describing them, **no later than 5 p.m. on Tuesday, February 18, 2019**, and bring an original and three (3) copies to the hearing. Filing shall be in accordance with WAC 480-07-140.
- 8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**
- 9 The names and mailing addresses of all parties and their known representatives are shown as follows:

Respondent: Michael S. Miller
Tiger Shuttle and
Tiger Mountain Shuttle
14999 239th Place SE
Issaquah, WA 98027
tigershuttle@comcast.net

Representative: David Stirbis
Liberty Law, L.L.C.
6108 Community Pl. SW, Ste. 1
Lakewood, WA 98499
(253) 573-9111
dave@libertylawattorney.com

Commission: Washington Utilities and
Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Daniel Teimouri
Assistant Attorney General
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1189
daniel.teimouri@utc.wa.gov

10 Administrative Law Judge Rayne Pearson, from the Commission's Administrative Law Division, will preside during this proceeding.¹

DATED at Lacey, Washington and effective December 11, 2019.

MARK L. JOHNSON
Executive Director and Secretary

¹ Judge Pearson can be reached at rayne.pearson@utc.wa.gov or (360) 664-1136.

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Mark L. Johnson, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____