

**Docket No. TV-220466 - Vol. I**

**WUTC v. You Got It Movers**

**December 7, 2022**



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BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the  
Proper Carrier Classification of,  
and Complaint for Penalties  
Against: |  
| DOCKET TV-220466  
|  
JAMES MOSELEY D/B/A YOU GOT IT |  
MOVERS |

BRIEF ADJUDICATIVE PROCEDURE

[All parties appearing via Zoom]

DATE TAKEN: Wednesday, December 7, 2022, 1:30 p.m.  
REPORTED BY: Danielle Schemm, CCR 3395

1 JUDGE PEARSON: Good afternoon. My name is Rayne  
2 Pearson. I'm an administrative law judge with the  
3 Washington Utilities and Transportation Commission, and I  
4 use she/her pronouns.

5 Today is Wednesday December 7th, 2022. The time  
6 is 1:35 p.m. This is docket TV-220466, and this is a  
7 classification proceeding based on a complaint issued  
8 against James Moseley doing business as You Got It Movers  
9 alleging that the company is operating and advertising as  
10 a household goods carrier without a permit from the  
11 commission.

12 So I'm just going to ask -- I see that staff is  
13 present. I'm just going to ask if there is anyone present  
14 that represents the company?

15 Okay. Hearing nothing, let's go ahead and take an  
16 appearance from staff.

17 Jaquandria Ewanika, you represent staff, correct?

18 INVESTIGATOR EWANIKA: Yes, judge.

19 JUDGE PEARSON: All right. And did you have an  
20 opportunity to speak with the company today? Did they  
21 indicate whether they'd be coming or not?

22 INVESTIGATOR EWANIKA: I tried to reach out to the  
23 company twice, and they did not respond.

24 JUDGE PEARSON: Okay. All right. So what I want to  
25 do now is take a ten-minute recess. We'll give the

A P P E A R A N C E S

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13 ALSO APPEARING: CORTNEY WAGNER  
14 BRIDGIT FEESER  
15 KEITH QUINATA  
16 GREG HAMMOND  
17 STACEY BREWSTER  
18 PAYTON SWINFORD  
19 ANNA GILL  
20 PAIGE DOYLE  
21 "SPRABAKA215"  
22 "JNYANWAP215"

1 company until 1:45, and, if they haven't made an  
2 appearance by that time, then I will entertain a motion  
3 for default, and we can walk through the evidence that you  
4 have against the company, and I'll issue a default order.

5 Let's go ahead and be in recess until 1:45.

6 [Off record at 1:37 p.m.]

7 [On record at 1:45 p.m.]

8 JUDGE PEARSON: All right. Is there anyone who has  
9 joined the call that represents the company? Okay.  
10 Hearing nothing, Investigator Ewanika, why don't I go  
11 ahead and swear you in, and then we can go ahead, and I  
12 will entertain a motion for default.

13 So if you would just raise your right hand; do you  
14 swear or affirm that the testimony you give today will be  
15 truth, the whole truth, and nothing but the truth?

16 INVESTIGATOR EWANIKA: Yes.

17 JUDGE PEARSON: All right. So the company has failed  
18 to appear. I did have a chance to review staff's  
19 evidence. I saw that there was an offer to provide  
20 household goods moving service in Washington, as well as  
21 advertising that meets the definition in RCW 81.80.075  
22 subsection 4, engaging a business as a household goods  
23 moving company without the permit required to conduct such  
24 operations.

25 So would staff like to move for default at this

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1 time?  
 2 INVESTIGATOR EWANIKA: Yes.  
 3 JUDGE PEARSON: All right. And specifically what  
 4 penalty amount would staff recommend? Would it be the  
 5 full \$10,000 penalty?  
 6 INVESTIGATOR EWANIKA: Yes, we recommend that. Yes,  
 7 we are recommending the full 10,000.  
 8 JUDGE PEARSON: Okay. So let's walk through the  
 9 evidence that you have as well as when and how service was  
 10 accomplished. So if you want to first just describe for  
 11 me the offer that staff received.  
 12 INVESTIGATOR EWANIKA: Sure. We -- I called the  
 13 company in May of 2022 and asked him to -- if he would  
 14 provide me a quote for a move in Kirkland to another home  
 15 in Kirkland to which James said -- quoted me a rate of --  
 16 James Moseley, I'm sorry, quoted me a rate of \$110 an hour  
 17 with a 16-foot truck.  
 18 JUDGE PEARSON: Okay. Thank you. And then can you  
 19 please describe the advertisement?  
 20 INVESTIGATOR EWANIKA: Oh, sorry. The advertisement  
 21 was on his website, and he offered to perform moves on  
 22 that website.  
 23 JUDGE PEARSON: Okay. Great. And then can you please  
 24 describe how service was accomplished? Was he personally  
 25 served?

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1 INVESTIGATOR EWANIKA: Let me look really quickly, if  
 2 you don't mind.  
 3 JUDGE PEARSON: Not a problem.  
 4 INVESTIGATOR EWANIKA: He was -- the person that the  
 5 documents were given to was a Cyrus Scheppelle who said  
 6 that they were authorized to accept service on behalf of  
 7 James Moseley.  
 8 JUDGE PEARSON: Okay. So it was company employee most  
 9 likely.  
 10 MADAM REPORTER: Can you spell his name, please?  
 11 INVESTIGATOR EWANIKA: C-y-r-u-s last name  
 12 S-c-h-e-p-p-e-l-e.  
 13 MADAM REPORTER: Thank you.  
 14 JUDGE PEARSON: Okay. And do you know if the company  
 15 has ever applied for a permit with the commission?  
 16 INVESTIGATOR EWANIKA: Yes, and I have a thing to kind  
 17 of go through the history, if you'd like.  
 18 JUDGE PEARSON: Sure. Yes, please.  
 19 INVESTIGATOR EWANIKA: The consumer first received a  
 20 consumer complaint for You Got It Movers, and during the  
 21 investigation staff discovered the company's permit was  
 22 inactive. Staff confirmed the company's permit was  
 23 cancelled on March 25th, 2021.  
 24 On April 4th, 2022 staff discovered the company  
 25 was still maintaining a web page advertising moves. I

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1 spoke with James Moseley, the company owner, over the  
 2 phone and let him know that he must cease and desist  
 3 operations until the permit was active. He stated he  
 4 understood, and staff followed up that phone call with a  
 5 letter to the company letting him know that he must cease  
 6 and desist operations as a household goods carrier without  
 7 a permit.  
 8 And then I already told you about the offer of the  
 9 move. So -- sorry.  
 10 JUDGE PEARSON: That's okay.  
 11 INVESTIGATOR EWANIKA: So in January of 2000 -- they  
 12 received a permit in 2015, and January 2017 the commission  
 13 cancelled the company's permit due to insufficient proof  
 14 of insurance. The company continued to perform as a  
 15 household goods mover after their permit was cancelled.  
 16 In October of 2017 he appeared at a classification  
 17 hearing. The commission entered an order classifying the  
 18 respondent as a household goods carrier and ordered the  
 19 respondent to cease and desist and imposed and suspended  
 20 penalties.  
 21 In April of 2018 the commission cancelled the  
 22 permit again due to insufficient proof of insurance. The  
 23 company continued to perform as a household goods mover  
 24 after their permit was cancelled.  
 25 On August 7th, 2018 he appeared before -- appeared

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1 at the classification hearing, and he was again ordered to  
 2 stop performing moves and cease and desist, and he was  
 3 imposed penalties -- there were imposed penalties and  
 4 suspended penalties.  
 5 He was granted temporary authority again in  
 6 August 3rd, 2018. The company permit was cancelled on  
 7 March 25th, 2021, and since then the company has continued  
 8 to operate as a household goods carrier without the  
 9 required permit.  
 10 JUDGE PEARSON: Okay. So this company has been  
 11 permitted with the commission multiple times before and is  
 12 well aware of our regulations and the requirements for  
 13 maintaining a permit it sounds like. Okay. Well, I will  
 14 grant the motion for default and issue an order both  
 15 classifying the company as a household goods carrier and  
 16 imposing the full \$10,000 penalty.  
 17 Is there anything else that we need to address  
 18 while we're here today?  
 19 INVESTIGATOR EWANIKA: No, judge.  
 20 JUDGE PEARSON: All right. Well, thank you, and we  
 21 are adjourned.  
 22 [Hearing concluded at 1:53 p.m.]  
 23  
 24  
 25

1 STATE OF WASHINGTON )  
 2 ) SS: C E R T I F I C A T E  
 COUNTY OF WHATCOM )  
 3 I, DANIELLE SCHEMM, a Certified Court  
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*Danielle Schemm*

DANIELLE SCHEMM  
 CERTIFIED COURT REPORTER  
 IN AND FOR THE STATE OF  
 WASHINGTON, RESIDING AT  
 BELLINGHAM. LICENSE EXPIRES  
 JULY 16, 2022

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