

Docket No. TV-220894 - Vol. I

**In re the Matter of: Mychal Arcasa Redthunder d/b/a
Thunder Movers and Sons LLC**

February 28, 2023



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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-220894
|
MYCHAL ARCASA REDTHUNDER D/B/A |
THUNDER MOVERS AND SONS, LLC |

BRIEF ADJUDICATIVE PROCEDURE
VOLUME I

DATE TAKEN: Tuesday, February 28, 2022, 2:30 p.m.
REPORTED BY: Danielle Schemm, CCR 3395

1 ADMINISTRATIVE LAW JUDGE DOYLE: Good afternoon. My
2 name is Samantha Doyle. I'm an administrative law judge
3 with the Washington Utilities and Transportation
4 Commission, and I use she/her or they/them pronouns.

5 Today is Tuesday February 28th, 2023, and the time
6 is approximately 2:45 p.m. This is Docket TV-220894. The
7 company has failed to appear, so we can proceed with a
8 motion for default for Mychal Arcasa Redthunder doing
9 business as Thunder Movers And Sons, LLC.

10 I have had a chance to review staff's evidence,
11 and that there was an offer to provide household goods
12 moving services in Washington, and there was advertising
13 that meets with the definition of RCW 81.80.0754 Engaging
14 in Business as a Household Goods Moving Company Without
15 the Permit Required to Conduct Such Operations.

16 What's staff's motion for the company?

17 INVESTIGATOR EWANIKA: Staff would like to recommend a
18 \$10,000 penalty because he has appeared before the
19 commission before in October of 2012.

20 ADMINISTRATIVE LAW JUDGE DOYLE: Okay. And so that's
21 under a motion for default, correct?

22 INVESTIGATOR EWANIKA: Yes. Sorry.

23 ADMINISTRATIVE LAW JUDGE DOYLE: No worries. Thank
24 you so much. Okay. Let's -- I'll swear you in and then
25 we'll walk through the evidence you have as well as when

A P P E A R A N C E S

1 SAMANTHA DOYLE, ADMINISTRATIVE LAW JUDGE
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13 ALSO APPEARING:
14 RAYNE PERASON
15 AARON CAHEN
16 BRIDGIT FEESER
17 STACEY BREWSTER
18 CORTNEY WAGNER
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1 and how service was accomplished.

2 So Investigate Ewanika, I will swear you in now.
3 Can you raise your right hand? Do you swear or affirm
4 that the testimony you will give today is the truth, the
5 whole truth, and nothing but the truth?

6 INVESTIGATOR EWANIKA: Yes, judge.

7 ADMINISTRATIVE LAW JUDGE DOYLE: Thank you. Go right
8 ahead with your exhibit.

9 INVESTIGATOR EWANIKA: Okay. In April of 2002, I
10 researched Thunder Movers and Sons and found a website for
11 the company. In that same month, I requested a quote on
12 their website, and I received an email that same day
13 stating that they could perform that move.

14 I then searched the Department of Revenue and the
15 Secretary of State systems in Washington state, and there
16 were no companies with that name. So I Googled the name,
17 and the company was listed on the Secretary of State
18 website in Oregon with the owner's name listed as Arcasa
19 Redthunder.

20 In May of 2022, I sent a cease and desist letter
21 to Arcasa Redthunder to the mailing address listed on the
22 Secretary of State database in Vancouver, Washington. The
23 address was in Vancouver, Washington.

24 In November of 2022, I called the company's phone
25 number that was listed on their website, and I talked to a

1 person who identified themselves as Mychal. I then asked
 2 if he could perform a move -- I'm sorry -- perform a move,
 3 and I received a quote for a move with an origin address
 4 in Vancouver, Washington to a destination address in
 5 Vancouver.
 6 Mychal said that the company could perform this
 7 move on November 28th, 2022 at 9:00 for \$450 an hour with
 8 two men and a truck. Mychal also stated that the company
 9 had been conducting business for 20 years.
 10 I checked the commission's record in December of
 11 2022 to see if the company had previously been before the
 12 commission. I found that Mychal Arcasa Redthunder was
 13 doing business as Mychal Movers appeared at a
 14 classification hearing on October 17th, 2012.
 15 At that hearing Mychal Arcasa Redthunder, doing
 16 business as Mychal Movers, was classified a household
 17 goods carrier and ordered to cease and desist operations
 18 and was assessed a penalty of \$5,000 with \$4,500 suspended
 19 and waived if he agreed to remove all advertisements and
 20 cease operations. On August 26th, 2013 Mychal did pay
 21 that penalty balance in full.
 22 I then, after reviewing that, prepared the
 23 documents for movers court and the process server was able
 24 to serve the documents to Mychal Arcasa Redthunder on
 25 December 29th, 2022 at the same address that the cease and

1 Protection; she was on the call. On that call I did
 2 explain to Mychal that in order to reach a settlement
 3 agreement, he would need to admit that he advertised and
 4 performed household goods moves within Washington state
 5 without a household goods permit and must agree to take
 6 down all advertisements that offered to conduct moves and
 7 no longer offer or perform moves until he received the
 8 required permit from the commission.
 9 Mychal at first agreed to this and stated that he
 10 would take down all ads that he could but would be unable
 11 to take down some ads like Yelp ads because he had no
 12 control over that.
 13 I did explain that because he had been before the
 14 commission before and had violated the previous cease and
 15 desist, we had forwarded the recommended penalty of
 16 \$10,000 per violation, one for advertising and performing
 17 moves and one for offering to conduct the move, totaling a
 18 \$20,000 penalty, but that we were willing to lower that
 19 recommendation to \$10,000 with \$9,000 suspended for
 20 2 years under the condition he remove all advertisements,
 21 cease performing moves, leaving a total of \$1,000 due.
 22 Mychal then asked me when he had appeared at a
 23 classification hearing before, and I told him that on
 24 October 17th, 2012 he had come before the commission under
 25 the business name Mychal's Movers. He then stated that

1 desist letter was sent to.
 2 On February 14th, 2023 I sent an email addressed
 3 to -- I sent it to the email that was noted on the Thunder
 4 Movers And Sons advertisement on their website, and it
 5 did -- that was a site that offered to conduct household
 6 goods moves.
 7 I addressed that email to Mychal Redthunder, and
 8 the email offered to meet with the company to see if the
 9 company and staff could agree to a settlement. The
 10 company did not respond.
 11 I sent another email, February 22nd, 2023, to
 12 again give the option of a possible settlement agreement
 13 discussion prior to today's hearing. The company did not
 14 respond.
 15 On February 23rd, 2023 I called the phone number
 16 that was listed on the company's advertisements. I used
 17 that phone number previously when I received a quote from
 18 Mychal for the move. That number was disconnected.
 19 On -- as I stated previously, on the afternoon of
 20 yesterday, late afternoon, I received a call from Mychal
 21 from a different number, that I did put in the chat, and
 22 he stated that he had received my email and wanted to
 23 discuss a settlement.
 24 I told him that I would call him back, and I did
 25 so with Bridgit Feeser, Assistant Director of Consumer

1 was over 10 years ago, and that we should just drop the
 2 penalty to \$0. I informed Mychal that we could not do
 3 that.
 4 As I stated, Bridgit Feeser was on the call, and
 5 she then explained to him that he had been before the
 6 commission before for operating as a household goods
 7 carrier without a permit and that the laws and rules had
 8 not changed, so he should have been aware that he still
 9 cannot perform moves without the required permission
 10 issued, household goods permit.
 11 At that point Michael appeared to become upset and
 12 stated that he would not pay -- he could not pay the
 13 \$1,000 penalty and that we should make the penalty amount
 14 \$0. And then he stated it wasn't his business, it was his
 15 cousin's business, and we needed to go after him.
 16 At that point it does appear that he disconnected
 17 the call. He did not call back.
 18 ADMINISTRATIVE LAW JUDGE DOYLE: Thank you. And to
 19 confirm, the company has never applied for a permit either
 20 --
 21 INVESTIGATOR EWANIKA: No. Sorry.
 22 ADMINISTRATIVE LAW JUDGE DOYLE: -- with the
 23 commission?
 24 INVESTIGATOR EWANIKA: No, judge.
 25 ADMINISTRATIVE LAW JUDGE DOYLE: No? Okay. With that

1 testimony, I also wanted to just admit into the record
2 your previously submitted declaration as JE-1 and the
3 declaration attachments as also to be admitted into the
4 record as JE-2.

5 And with that, I will grant the motion for default
6 and issue an order reflecting that decision. Is there any
7 other business that we need to take care of today?

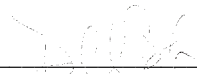
8 INVESTIGATOR EWANIKA: No, judge. Thanks.

9 ADMINISTRATIVE LAW JUDGE DOYLE: Great. Thank you so
10 much. Thanks, everyone, for your time, and I apologize
11 for the wait earlier. Thank so much.

12 [This matter concluded at 2:55 p.m.]
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1 that violate of these provisions are not authorized by me,
2 and I have no interest in the outcome of said litigation;
3 This certification does not apply to
4 reproduction of this transcript by any means not under my
5 direct supervision and control.

6 Signed and dated this 9th day of March
7 2023.
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12


13 DANIELLE SCHEMM
14 CERTIFIED COURT REPORTER
15 IN AND FOR THE STATE OF
16 WASHINGTON, RESIDING AT
17 BELLINGHAM. LICENSE EXPIRES
18 JULY 16, 2023
19
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1 STATE OF WASHINGTON)
2) SS: C E R T I F I C A T E
3 COUNTY OF WHATCOM)
4 I, DANIELLE SCHEMM, a Certified Court
5 Reporter within and for the State of Washington do hereby
6 certify;

7 That the testimony by parties appearing
8 in the foregoing transcript was duly recorded by me;

9 That the testimony of any parties was
10 taken by me to the best of my ability and thereafter
11 reduced to typewriting under my direction and is contained
12 in Pages 1 through 11;

13 That I am neither counsel for, related
14 to, nor employed by any of the parties to the action in
15 which this brief adjudicative procedure was taken;

16 And further that I am not a relative or
17 employee of any attorney or counsel employed by the
18 parties thereto, nor financially or otherwise interested
19 in the outcome of the action;

20 This transcript and invoice have been
21 prepared and submitted for final production and delivery
22 in accordance with all Washington State laws, rules and
23 regulations, including WAC-308-14-130, WAC-308-14-135, RCW
24 18-145, and applicable court rules regulating formatting
25 and equal terms requirements;

Alterations, changes, fees or charges

<p style="text-align: center;">A</p> <p>AARON 2:11 ability 10:9 able 5:23 accomplished 4:1 action 10:13,18 address 4:21,23 5:3 5:4,25 addressed 6:2,7 adjudicative 1:10 10:14 administrative 2:2 3:1,2,20,23 4:7 8:18,22,25 9:9 admit 7:3 9:1 admitted 9:3 ads 7:10,11,11 advertised 7:3 advertisement 6:4 advertisements 5:19 6:16 7:6,20 advertising 3:12 7:16 affirm 4:3 afternoon 3:1 6:19 6:20 ago 8:1 agree 6:9 7:5 agreed 5:19 7:9 agreement 6:12 7:3 ahead 4:8 Alterations 10:25 amount 8:13 apologize 9:10 appear 3:7 8:16 appeared 3:18 5:13 7:22 8:11 appearing 2:10 10:6 applicable 10:23 applied 8:19 apply 11:3 approximately 3:6 April 4:9 Arcasa 1:7 3:8 4:18 4:21 5:12,15,24</p>	<p>asked 5:1 7:22 assessed 5:18 Assistant 6:25 attachments 9:3 attorney 10:16 August 5:20 authorized 11:1 aware 8:8</p> <hr/> <p style="text-align: center;">B</p> <p>back 6:24 8:17 balance 5:21 BELLINGHAM 11:14 best 10:9 Box 2:3,6 BREWSTER 2:12 Bridgit 2:12 6:25 8:4 brief 1:10 10:14 business 3:9,14 5:9 5:13,16 7:25 8:14 8:15 9:7</p> <hr/> <p style="text-align: center;">C</p> <p>C 2:1 10:2,2 CAHEN 2:11 call 6:20,24 7:1,1 8:4,17,17 called 4:24 6:15 care 9:7 carrier 1:4 5:17 8:7 CCR 1:25 cease 4:20 5:17,20 5:25 7:14,21 certification 11:3 Certified 10:3 11:12 certify 10:5 chance 3:10 changed 8:8 changes 10:25 charges 10:25 chat 6:21 checked 5:10 classification 1:4</p>	<p>5:14 7:23 classified 5:16 come 7:24 commission 1:2 2:2 3:4,19 5:12 7:8,14 7:24 8:6,23 commission's 5:10 companies 4:16 company 3:7,14,16 4:11,17 5:6,8,11 6:8,9,10,13 8:19 company's 4:24 6:16 Complaint 1:5 Compliance 2:6 concluded 9:12 condition 7:20 conduct 3:15 6:5 7:6,17 conducting 5:9 confirm 8:19 Consumer 6:25 contained 10:10 control 7:12 11:5 correct 3:21 CORTNEY 2:13 counsel 10:12,16 COUNTY 10:2 court 5:23 10:3,23 11:12 cousin's 8:15</p> <hr/> <p style="text-align: center;">D</p> <p>D/B/A 1:7 Danielle 1:25 10:3 11:12 database 4:22 DATE 1:24 dated 11:6 day 4:12 11:6 December 5:10,25 decision 9:6 declaration 9:2,3 default 3:8,21 9:5 definition 3:13 delivery 10:20</p>	<p>Department 4:14 desist 4:20 5:17 6:1 7:15 destination 5:4 Determining 1:4 different 6:21 direct 11:5 direction 10:10 Director 6:25 disconnected 6:18 8:16 discuss 6:23 discussion 6:13 Docket 1:6 3:6 documents 5:23,24 doing 3:8 5:13,15 Doyle 2:2 3:1,2,20 3:23 4:7 8:18,22 8:25 9:9 drop 8:1 due 7:21 duly 10:7</p> <hr/> <p style="text-align: center;">E</p> <p>E 2:1,1 10:2,2 earlier 9:11 either 8:19 email 4:12 6:2,3,7,8 6:11,22 employed 10:13,16 employee 10:16 Engaging 3:13 equal 10:24 evidence 3:10,25 Ewanika 2:5 3:17 3:22 4:2,6,9 8:21 8:24 9:8 exhibit 4:8 EXPIRES 11:14 explain 7:2,13 explained 8:5</p> <hr/> <p style="text-align: center;">F</p> <p>F 10:2 failed 3:7 February 1:24 3:5</p>	<p>6:2,11,15 fees 10:25 Feeser 2:12 6:25 8:4 final 10:20 financially 10:17 first 7:9 foregoing 10:7 formatting 10:23 forwarded 7:15 found 4:10 5:12 full 5:21 further 10:15</p> <hr/> <p style="text-align: center;">G</p> <p>give 4:4 6:12 go 4:7 8:15 Good 3:1 goods 3:11,14 5:17 6:6 7:4,5 8:6,10 Googled 4:16 grant 9:5 Great 9:9</p> <hr/> <p style="text-align: center;">H</p> <p>hand 4:3 hearing 5:14,15 6:13 7:23 hour 5:7 household 3:11,14 5:16 6:5 7:4,5 8:6 8:10</p> <hr/> <p style="text-align: center;">I</p> <p>identified 5:1 including 10:22 informed 8:2 interest 11:2 interested 10:17 Investigate 4:2 Investigator 2:6 3:17,22 4:6,9 8:21 8:24 9:8 invoice 10:19 issue 9:6 issued 8:10</p>
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<p style="text-align: center;">J</p> <p>JAQUANDRIA 2:5 jaquandria.ewan... 2:8 JE-1 9:2 JE-2 9:4 judge 2:2 3:1,2,20 3:23 4:6,7 8:18,22 8:24,25 9:8,9 JULY 11:14</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p style="text-align: center;">L</p> <p>Lacey 2:7 late 6:20 law 2:2 3:1,2,20,23 4:7 8:18,22,25 9:9 laws 8:7 10:21 leaving 7:21 Let's 3:24 letter 4:20 6:1 LICENSE 11:14 listed 4:17,18,21,25 6:16 litigation 11:2 LLC 1:7 3:9 longer 7:7 lower 7:18</p> <hr/> <p style="text-align: center;">M</p> <p>mailing 4:21 March 11:6 matter 1:4 9:12 means 11:4 meet 6:8 meets 3:13 men 5:8 Michael 8:11 month 4:11 motion 3:8,16,21 9:5 move 4:13 5:2,2,3,7 6:18 7:17 movers 1:7 3:9</p>	<p>4:10 5:13,16,23 6:4 7:25 moves 6:6 7:4,6,7 7:17,21 8:9 moving 3:12,14 Mychal 1:7 3:8 5:1 5:6,8,12,13,15,16 5:20,24 6:7,18,20 7:2,9,22 8:2 Mychal's 7:25</p> <hr/> <p style="text-align: center;">N</p> <p>N 2:1 name 3:2 4:16,16 4:18 7:25 need 7:3 9:7 needed 8:15 neither 10:12 never 8:19 noted 6:3 November 4:24 5:7 number 4:25 6:15 6:17,18,21</p> <hr/> <p style="text-align: center;">O</p> <p>October 3:19 5:14 7:24 offer 3:11 7:7 offered 6:5,8 7:6 offering 7:17 Okay 3:20,24 4:9 8:25 Olympia 2:3 operating 8:6 operations 3:15 5:17,20 option 6:12 order 7:2 9:6 ordered 5:17 Oregon 4:18 origin 5:3 outcome 10:18 11:2 owner's 4:18</p> <hr/> <p style="text-align: center;">P</p>	<p>P 2:1,1 p.m 1:24 3:6 9:12 P.O 2:6 Pages 10:11 parties 10:6,8,13 10:17 pay 5:20 8:12,12 Penalties 1:5 penalty 3:18 5:18 5:21 7:15,18 8:2 8:13,13 PERASON 2:11 perform 4:13 5:2,2 5:6 7:7 8:9 performed 7:4 performing 7:16 7:21 permission 8:9 permit 3:15 7:5,8 8:7,10,19 person 5:1 phone 4:24 6:15,17 PO 2:3 point 8:11,16 possible 6:12 prepared 5:22 10:20 previous 7:14 previously 5:11 6:17,19 9:2 prior 6:13 procedure 1:10 10:14 proceed 3:7 process 5:23 production 10:20 pronouns 3:4 Proper 1:4 Protection 7:1 provide 3:11 provisions 11:1 put 6:21</p> <hr/> <p style="text-align: center;">Q</p> <p>quote 4:11 5:3 6:17</p>	<p style="text-align: center;">R</p> <p>R 2:1 10:2 raise 4:3 RAYNE 2:11 RCW 3:13 10:22 reach 7:2 received 4:12 5:3 6:17,20,22 7:7 recommend 3:17 recommendation 7:19 recommended 7:15 record 5:10 9:1,4 recorded 10:7 Redthunder 1:7 3:8 4:19,21 5:12 5:15,24 6:7 reduced 10:10 reflecting 9:6 regulating 10:23 regulations 10:22 related 10:12 relative 10:15 remove 5:19 7:20 REPORTED 1:25 Reporter 10:4 11:12 reproduction 11:4 requested 4:11 required 3:15 7:8 8:9 requirements 10:24 researched 4:10 RESIDING 11:13 respond 6:10,14 Revenue 4:14 review 3:10 reviewing 5:22 right 4:3,7 rules 8:7 10:21,23</p> <hr/> <p style="text-align: center;">S</p> <p>S 2:1 Samantha 2:2 3:2 samantha.doyle...</p>	<p>2:4 Schemm 1:25 10:3 11:12 searched 4:14 Secretary 4:15,17 4:22 see 5:11 6:8 sent 4:20 6:1,2,3,11 serve 5:24 server 5:23 service 4:1 services 3:12 settlement 6:9,12 6:23 7:2 she/her 3:4 Signed 11:6 site 6:5 Sons 1:7 3:9 4:10 6:4 sorry 3:22 5:2 8:21 SS 10:2 STACEY 2:12 staff 3:17 6:9 staff's 3:10,16 state 4:15,15,17,22 7:4 10:1,4,21 11:13 stated 5:8 6:19,22 7:9,25 8:4,12,14 stating 4:13 submitted 9:2 10:20 supervision 11:5 suspended 5:18 7:19 swear 3:24 4:2,3 systems 4:15</p> <hr/> <p style="text-align: center;">T</p> <p>T 10:2,2 take 7:5,10,11 9:7 taken 1:24 10:9,14 talked 4:25 terms 10:24 testimony 4:4 9:1 10:6,8</p>
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<p>Thank 3:23 4:7 8:18 9:9,11 Thanks 9:8,10 thereto 10:17 they/them 3:4 Thunder 1:7 3:9 4:10 6:3 time 3:5 9:10 today 3:5 4:4 9:7 today's 6:13 told 6:24 7:23 total 7:21 totaling 7:17 transcript 10:7,19 11:4 Transportation 1:2 2:2 3:3 truck 5:8 truth 4:4,5,5 Tuesday 1:24 3:5 TV-220894 1:6 3:6 two 5:8 typewriting 10:10</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>unable 7:10 upset 8:11 use 3:4 Utilities 1:2 2:2 3:3</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>Vancouver 4:22,23 5:4,5 violate 11:1 violated 7:14 violation 7:16 VOLUME 1:11</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>WAC-308-14-130 10:22 WAC-308-14-135 10:22 WAGNER 2:13 wait 9:11 waived 5:19</p>	<p>walk 3:25 wanted 6:22 9:1 Washington 1:2 2:3,7 3:3,12 4:15 4:22,23 5:4 7:4 10:1,4,21 11:13 wasn't 8:14 we'll 3:25 website 4:10,12,18 4:25 6:4 WHATCOM 10:2 willing 7:18 worries 3:23</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>years 5:9 7:20 8:1 Yelp 7:11 yesterday 6:20</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>0 8:2,14</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 10:11 1,000 7:21 8:13 10 8:1 10,000 3:18 7:16,19 11 10:11 14th 6:2 16 11:14 17th 5:14 7:24 18-145 10:23</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 7:20 2:30 1:24 2:45 3:6 2:55 9:12 20 5:9 20,000 7:18 2002 4:9 2012 3:19 5:14 7:24 2013 5:20</p>	<p>2022 1:24 4:20,24 5:7,11,25 2023 3:5 6:2,11,15 11:7,14 22nd 6:11 23rd 6:15 26th 5:20 28 1:24 28th 3:5 5:7 29th 5:25</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3395 1:25 360.664.1164 2:4 360.664.1320 2:7</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4,500 5:18 450 5:7 47250 2:3,6</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5,000 5:18</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>81.80.0754 3:13</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9,000 7:19 9:00 5:7 98503 2:7 98504 2:3 9th 11:6</p>		
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