

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of

CHERYL ANN BALL
d/b/a ACME MOVING LABOR

for a permit to operate as a motor carrier
of household goods.

DOCKET TV-161097

NOTICE OF BRIEF ADJUDICATIVE
PROCEEDING

SETTING TIME FOR ORAL
STATEMENTS
**(Set for December 6, 2016,
at 1:30 p.m.)**

- 1 On September 29, 2016, Cheryl Ann Ball d/b/a Acme Moving Labor (Acme Moving Labor or Applicant) filed with the Washington Utilities and Transportation Commission (Commission) an application for authority to operate as a household goods carrier in the state of Washington under Revised Code of Washington (RCW) 81.80 and Washington Administrative Code (WAC) 480-15.
- 2 On October 19, 2016, the Commission issued a Notice of Intent to Deny Application for Permanent Authority and Notice of Opportunity for Hearing in this matter based on its review and investigation of the application. The Commission alleges that the Applicant's operation's manager, Kedric D. Jackson, has an Assault 4 conviction from 2011. Mr. Jackson's history also includes convictions for assault in 1986, 1996 and 2009, theft in 2006, and manufacture/delivery/possession of a controlled substance with intent to deliver in 2000. The Notice provided Acme Moving Labor the opportunity to request a hearing to contest the factual allegations by October 31, 2016.
- 3 On October 31, 2016, Acme Moving Labor filed with the Commission a Request for Hearing.
- 4 Pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission determines that a brief adjudicative proceeding is appropriate for determining whether Acme Moving Labor's application for permanent authority should be denied due to the concerns raised after Staff's review and investigation of the application.
- 5 **THE COMMISSION GIVES NOTICE That it will hold a brief adjudicative proceeding in this matter at 1:30 p.m., on Tuesday, December 6, 2016, in Room 206,**

**Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W.,
Olympia, Washington.**

- 6 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.
- 7 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 Olympia, Washington, copies of documents in the current record for use by the parties or others who may want to review them.
- 8 Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission a list enumerating and describing any such documents **no later than 5:00 p.m. on Tuesday, November 29, 2016**, and bring an original and three (3) copies to the hearing. Filing shall be in accordance with WAC 480-07-140 and – 145.
- 9 **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.**
- 10 The names and mailing addresses of all parties and their known representatives are shown as follows:

Applicant: Cheryl Ann Ball
d/b/a Acme Moving Labor
839 1st Avenue North
Kent, WA 98032
(253) 653-8635
acmemovinglabor@gmail.com

Representative: Ross Day
Day Law & Associates, P.C.
15055 SW Sequoia Parkway
Suite 170
Portland, OR 97224
(503) 747-2705

Commission: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Andrew O'Connell
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1192
aoconnel@utc.wa.gov

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

DATED at Olympia, Washington and effective November 23, 2016.

STEVEN V. KING
Executive Director and Secretary

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: Steven V. King, 1300 S. Evergreen Park Drive SW, 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.: (____) _____