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1 BEFORE THE

2 WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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4 In the Matter of Determining the ) DOCKET TG-190490

Proper Classification of, and )

5 Complaint for Penalties against: )

)

6 PAULINO JOSE GONZALEZ AND )

VERONICA LUNA D/B/A )

7 UNIVERSAL MOVING )

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8 HEARING, VOLUME I

9 Pages 1-9

10 ADMINISTRATIVE LAW JUDGE LAURA CHARTOFF

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13 August 21, 2019

14 9:08 a.m.

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16 Washington Utilities and Transportation Commission

621 Woodland Square Loop Southeast

17 Lacey, Washington 98503

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21 TRANSCRIBED BY: Marjorie Jackson, CETD

22 Buell Realtime Reporting, LLC

1325 Fourth Avenue, Suite 1840

23 Seattle, Washington 98101

(206) 287-9066 l Seattle

24 (360) 534-9066 l Olympia

(800) 846-6989 l National

25 www.buellrealtime.com

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1 A P P E A R A N C E S

2 ADMINISTRATIVE LAW JUDGE:

3 LAURA CHARTOFF

Utilities and Transportation Commission

4 621 Woodland Square Loop Southeast

Lacey, Washington 98503

5 (360) 664-1160

laura.chartoff@utc.wa.gov

6

7 FOR COMMISSION STAFF:

8 KATHRYN MCPHERSON

Compliance Investigator

9 Utilities and Transportation Commission

621 Woodland Square Loop Southeast

10 Lacey, Washington 98503

(360) 664-1107

11 kmcpherson@utc.wa.gov

12

13 FOR UNIVERSAL MOVING:

14 VERONICA LUNA

820 Fir Street Northeast

15 Olympia, Washington 98506

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1 LACEY, WASHINGTON; AUGUST 21, 2019

2 9:08 A.M.

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4 P R O C E E D I N G S

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6 JUDGE CHARTOFF: Okay. We are on the record.

7 Good morning. Today is Wednesday, August 21st,

8 2019, and the time is 9:08 a.m. My name is Laura

9 Chartoff, I'm an administrative law judge with the

10 Washington Utilities and Transportation Commission.

11 This is Docket TG-190490, Paulino Jose Gonzalez

12 and Veronica Luna, doing business as Universal Moving.

13 So, before we went on the record, I was advised

14 by Staff that Mr. Gonzalez was unable to appear, that

15 Veronica Luna is here, but she has difficulty

16 understanding English and needs a translator.

17 Does Staff have a recommendation on this?

18 MS. MCPHERSON: In discussion with Mr. Gonzalez,

19 he had stated that he had planned -- and I just spoke

20 with Ms. Luna, and she concurred that they plan to

21 contest the violations.

22 Considering the necessity of a translator and

23 the intended request to contest the violations, I would

24 recommend that it be postponed, and prepare for a

25 translator and hearing at the next date.

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1 JUDGE CHARTOFF: Okay. And I agree that it

2 makes sense to postpone this because I'm not comfortable

3 moving forward without a translator.

4 I'm wondering, does Ms. Luna -- would she be

5 willing to -- can you -- is Ms. Luna present?

6 Can you come forward. I just want to ask you...

7 Oh, that. So if you understand, I just want to

8 pick a hearing date, and I'll either -- I have some dates

9 available. Do --

10 MS. LUNA: Can I say something?

11 JUDGE CHARTOFF: Mm-hmm.

12 MS. LUNA: My husband is about 15 minutes away

13 from here. He said he is almost get here. Is that okay

14 if we can wait or -- because he was trying to do it by

15 himself. His English is not perfect, but he was trying

16 to do it. I don't know if there is a possibility to wait

17 another ten minutes maybe today.

18 JUDGE CHARTOFF: So you believe he is on his

19 way --

20 MS. LUNA: Yeah.

21 JUDGE CHARTOFF: -- and he will be here in about

22 ten minutes.

23 MS. LUNA: Mm-hmm.

24 JUDGE CHARTOFF: Is it your understanding that

25 he wants to contest the violations?

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1 MS. LUNA: Yeah, because he is the one that do

2 the job. He is using -- my name is in the business

3 license, just because I have some of the things, but I

4 don't really know what he is doing because I am not

5 participating doing the labor. So he is the one that can

6 tell what he was really doing. And he also advertise his

7 business.

8 JUDGE CHARTOFF: Okay. Is Staff okay with

9 recess for ten minutes to see if he appears?

10 MS. MCPHERSON: Ten minutes. I mean, I'm fine

11 to recess at any time, barring the schedule of the

12 hearing room, and I think we are clear for the day.

13 But I thought you -- did you say 50 minutes?

14 MS. LUNA: In about ten, 15 minutes.

15 MS. MCPHERSON: Ten, 15 minutes. Okay. I

16 misunderstood.

17 I am fine with that. I do have hesitation,

18 considering the nature of what's going to be discussed,

19 that if we also need an interpreter anyway to postpone.

20 JUDGE CHARTOFF: Yeah, okay.

21 Since Mr. Gonzalez is planning on contesting the

22 violations anyway, what we do in that case is we set

23 another hearing where we actually get into the substance

24 of the matter, whether you're -- you know, the company is

25 operating as a solid waste collection company. So I'm

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1 going to go ahead and set another hearing to discuss

2 that. I don't know if he needs to be present for that.

3 We can go ahead and just select a date where we're going

4 to continue this proceeding, and at that time, we will

5 have an interpreter and we can go ahead and you can

6 present your case --

7 MS. LUNA: Okay.

8 JUDGE CHARTOFF: -- as to why the company is not

9 subject to regulation of the Commission.

10 So I have a couple of dates picked out. It

11 doesn't look like you have a datebook in front of you.

12 I'm looking at October 1st -- basically, sometime in the

13 first week of October.

14 Do you know -- judging from the look on your

15 face, I'm guessing you don't know your's and

16 Mr. Gonzalez's availability?

17 MS. LUNA: Yeah, we still don't know, but we

18 have plenty of time to get permission from work. Because

19 I did it, but my husband couldn't make it today.

20 And all the dates that you have, is that in the

21 morning or --

22 JUDGE CHARTOFF: I could do the morning or the

23 afternoon.

24 MS. LUNA: Because we prefer afternoon.

25 JUDGE CHARTOFF: Okay. So I'm going to suggest,

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1 is there -- would any day of the week be better than any

2 other? Other, Monday --

3 MS. LUNA: I think we can do it any day, just if

4 it is in the afternoon, it will be better.

5 JUDGE CHARTOFF: Okay. So I'm looking at my

6 calendar and fast-forwarding to October.

7 So I can do Monday -- oh, I should ask Staff

8 too. I'm looking at Monday, October 7th, at 1:30?

9 MS. MCPHERSON: My calendar is clear. I have a

10 clear calendar for that day.

11 JUDGE CHARTOFF: Okay. Thank you.

12 So I am going to schedule the hearing for

13 Monday, October 7th, at 1:30. I will send you a notice.

14 When you get the notice, if that hearing date does not

15 work for you and Mr. Gonzalez, please let us know as soon

16 as possible within a few days of receiving the notice,

17 and we can reschedule to another date. Suggest another

18 date within a week or two and it should -- we would be

19 able to approve that.

20 Do we have -- Ms. McPherson, do we have an

21 address for the company?

22 MS. MCPHERSON: Yes. The address is current.

23 JUDGE CHARTOFF: Okay.

24 MS. MCPHERSON: For the record, they are still

25 at 820 Fir Street Northeast, Olympia, in Thurston County.

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1 JUDGE CHARTOFF: Thank you.

2 Is there anything else we need to discuss today?

3 MS. MCPHERSON: No, Your Honor.

4 JUDGE CHARTOFF: Ms. Luna, do you have any

5 questions?

6 MS. LUNA: (No audible response).

7 JUDGE CHARTOFF: Okay. Thank you.

8 Okay. So we are adjourned. Thank you for

9 coming today.

10 MS. MCPHERSON: Thank you, Your Honor.

11 (Adjourned at 9:18 a.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 )

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5 COUNTY OF SNOHOMISH )

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7 I, the undersigned, do hereby certify under penalty

8 of perjury that the foregoing proceedings were

9 transcribed under my direction as a certified

10 transcriptionist; and that the transcript is true and

11 accurate to the best of my knowledge and ability,

12 including any changes made by the trial judge reviewing

13 the transcript; that I received the audio and/or video

14 files in the court format; that I am not a relative or

15 employee of any attorney or counsel employed by the

16 parties hereto, nor financially interested in its

17 outcome.

18

19 IN WITNESS WHEREOF, I have hereunto set my hand

20 this 5th day of September, 2019.

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24 Marjorie Jackson, CETD

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