

Docket No. TV-191046 - Vol. I

WUTC v. A-1 Piano Sales & Rentals, Inc., et al.

February 27, 2020



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1 BEFORE THE WASHINGTON  
 2 UTILITIES AND TRANSPORTATION COMMISSION  
 3 \_\_\_\_\_  
 4 WASHINGTON UTILITIES AND )DOCKET TV-191046  
 5 TRANSPORTATION COMMISSION, )  
 6 Complainant, )  
 7 vs. )  
 8 A-1 PIANO SALES AND RENTALS, INC.;)  
 9 ALASKA COAST TRANSPORT, INC.; )  
 10 AMERICAN MOVING CO., INC.; ARAYS )  
 11 MOVING SERVICE LLC; BACKBREAKERS )  
 12 NW, LLC; CALLBOX STORAGE LLC; )  
 13 FIVE STARS DELIVERY LLC; FRIENDS )  
 14 & FAMILY MOVING AND STORAGE LLC; )  
 15 JFS TRANSPORT, INC.; JOHN VOLKEN )  
 16 ACADEMY; JOHNSON'S MOVING LLC; )  
 17 ALBERTO MORENO MENDOZA; )\*Caption Continued\*  
 18 \_\_\_\_\_  
 19 HEARING, VOLUME 1  
 20 Pages 1-15  
 21 ADMINISTRATIVE LAW JUDGES SAMANTHA DOYLE  
 22 AND RAYNE PEARSON  
 23 \_\_\_\_\_  
 24 February 27, 2020  
 25 1:30 p.m.  
 Washington Utilities and Transportation Commission  
 621 Woodland Square Loop Southeast  
 Lacey, Washington 98503  
 REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358  
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1 JASON M. NELSON; PACIFIC KING )  
 2 RELOCATION & LOGISTICS SYSTEMS )  
 3 LLC; PNW MOVING AND DELIVERY )  
 4 LLC; PROPERTY PROS EXTERIOR )  
 5 SOLUTIONS LLC; REDEFYNE MOVING )  
 6 LLC; STANLEY G. ALEXANDER, INC.; )  
 7 and WE LIKE TO MOVE IT, MOVE )  
 8 IT!! LLC, )  
 9 Respondents. )  
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Page 3

1 A P P E A R A N C E S  
 2 ADMINISTRATIVE LAW JUDGES:  
 3 SAMANTHA DOYLE  
 4 RAYNE PEARSON  
 5  
 6 FOR COMMISSION STAFF:  
 7 JEFF ROBERSON  
 8 Assistant Attorney General  
 9 PO Box 40128  
 10 Olympia, Washington 98504  
 11 (360) 664-1188  
 12 jroberson@utc.wa.gov  
 13 ALSO PRESENT:  
 14 RACHEL STARK  
 15 Staff Witness  
 16 \* \* \* \* \*  
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1 EXAMINATION INDEX  
 2 Examination of Stark PAGE  
 3 By Mr. Roberson. . . . . 9  
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 5 EXHIBIT INDEX  
 6 EXHIBITS FOR ADMISSION PAGE  
 7 (No exhibits admitted.)  
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1 LACEY, WASHINGTON; FEBRUARY 27, 2020  
 2 1:30 P.M.  
 3 --o0o--  
 4 P R O C E E D I N G S  
 5  
 6 JUDGE DOYLE: All right. Good afternoon.  
 7 Let's be on the record in Docket TV-191046.  
 8 It's 1:30 p.m. on February 27th, 2020, which  
 9 is the time set for hearing the Commission's complaint  
 10 against 19 household goods carriers seeking to cancel  
 11 their permits for failure to file their annual reports  
 12 and pay their regulatory fees.  
 13 My name is Samantha Doyle. I'm the  
 14 administrative law judge presiding over this proceeding.  
 15 Seated to my left is Administrative Law Judge Rayne  
 16 Pearson who is co-presiding with me today.  
 17 Let's start by taking an appearance with  
 18 Commission Staff.  
 19 MR. ROBERSON: Good afternoon, Judge Doyle.  
 20 My name is Jeff Roberson, R-o-b-e-r-s-o-n. I'm an  
 21 assistant attorney general who represents Commission  
 22 Staff, and seated with me at counsel table is Ms. Rachel  
 23 Stark who is Staff's witness in this case.  
 24 JUDGE DOYLE: Staff has provided a list of  
 25 seven companies that have come into compliance since the

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1 complaints were served. As such, Staff will move to  
 2 dismiss the complaints against the following companies:  
 3 Alaska Coast Transport, Incorporated;  
 4 American Moving Company, Incorporated; Backbreakers NW,  
 5 LLL; Callbox Storage, LLC; Five Stars Delivery LLC; PNW  
 6 Moving & Delivery LLC; Stanley G. Alexander,  
 7 Incorporated; and was there any updates to this list,  
 8 Mr. Roberson?  
 9 MR. ROBERSON: Just one, which is that  
 10 Friends and Family Moving and Storage, Incorporated has  
 11 filed its annual report, they previously paid their  
 12 regulatory fees, which means technically they're in  
 13 compliance, although they have not paid their late fee  
 14 or the interest associated with that. They have  
 15 requested that they be allowed to do that tomorrow, and  
 16 Staff is not opposed to that request.  
 17 JUDGE DOYLE: Okay. We can grant them the  
 18 close of business tomorrow, that would be  
 19 February 28th, 2020, to -- to pay that interest and late  
 20 fees.  
 21 We have also been -- oh, and thank you, and  
 22 I'll grant the motion to dismiss those seven company --  
 23 or seven companies named with the addition of the  
 24 Friends and Family Moving and Storage subject to hearing  
 25 from Ms. Stark that they paid their interest and late

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1 fees.  
 2 There have also been a number of companies  
 3 whose permits were cancelled in the other dockets for  
 4 unrelated reasons prior to today's hearing. Those  
 5 companies are A-1 Piano Sales and Rentals, Incorporated;  
 6 Arays Moving Service, LLC; Jason M. Nelson; Pacific King  
 7 Relocation and Logistics Systems LLC.  
 8 Now, I'll also go through the list -- the  
 9 rest of the companies named in the complaint to see if  
 10 any of them are here or appearing on the bridge line  
 11 today. Because there is a court reporter creating a  
 12 record of today's proceeding, please give a verbal  
 13 response to the roll call like "here" or "present" in  
 14 addition to raising your hand when I call your company's  
 15 name.  
 16 Let's start with JFS Transport,  
 17 Incorporated?  
 18 John Volken Academy?  
 19 Johnson's Moving LLC?  
 20 AI- -- Alberto Moreno Mendoza?  
 21 Property Pros Exterior Solutions LLC?  
 22 Redefyne Moving LLC?  
 23 We Like to Move It, Move It!! LLC?  
 24 All right. Hearing nothing, we can proceed.  
 25 Mr. Roberson, would you go ahead when you're

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1 ready?  
 2 MR. ROBERSON: Certainly, Your Honor. I  
 3 guess at this point, Staff would move to hold all of the  
 4 companies that you just named in default under RCW  
 5 34.05.448 and WAC 480-07-450 for failure to appear at  
 6 the time and place set for hearing. Under both the APA  
 7 and the Commission's rule, the Commission can dispose of  
 8 the substantive issues without the benefit of a hearing  
 9 for those parties.  
 10 Ms. Stark is here to provide an evidentiary  
 11 basis on which the Commission can issue a dispositive  
 12 order. And so Staff would call Ms. Stark assuming you  
 13 grant that motion, I guess.  
 14 JUDGE DOYLE: Yes, we will go ahead and hold  
 15 the -- the following companies will be held in default:  
 16 JFS Transport, Incorporated; John Volken Academy;  
 17 Johnson's Moving LLC; Alberto Moreno Mendoza; Property  
 18 Pros Exterior Solutions LLC; Redefyne Moving LLC; We  
 19 Like to Move It, Move It!! LLC. Those companies have  
 20 not come into compliance and have also not made an  
 21 appearance today, so they will be held in default.  
 22 The motion is granted and I'll now swear in  
 23 Ms. Stark so that you can testify.  
 24 (Rachel Stark sworn.)  
 25 JUDGE DOYLE: Thank you.

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EXAMINATION OF STARK / ROBERSON

1 Go ahead, Mr. Roberson.

2

EXAMINATION

3

4 BY MR. ROBERSON:

5 **Q. Good afternoon. Could you state your name and**

6 **spell it for the record?**

7 A. Rachel Stark, R-a-c-h-e-l, Stark, S-t-a-r-k.

8 **Q. And who is your employer?**

9 A. Washington Utilities and Transportation

10 Commission.

11 **Q. In what capacity does the Commission employ you?**

12 A. I'm a regulatory analyst tasked to ensure

13 company compliance with the annual reporting and paying

14 the regulatory fees.

15 **Q. And have you received any training to allow you**

16 **to carry out your duties as a regulatory analyst?**

17 A. Yes.

18 **Q. Okay. Are you familiar with the statutes and**

19 **rules governing the filing of annual reports and the**

20 **paying of regulatory fees?**

21 A. Yes.

22 **Q. And do statutes and rules require companies to**

23 **file an annual report?**

24 A. Yes.

25 **Q. And do statutes and rules require companies to**

Page 10

EXAMINATION OF STARK / ROBERSON

1 pay regulatory fees?

2 A. Yes.

3 **Q. Could you explain the process for a company**

4 **filing its annual report?**

5 A. Okay. So in March of every year, the Commission

6 will notify each regulated company that the annual

7 report is ready for download on the Commission's

8 website, and it's the company's responsibility to ensure

9 that we have accurate and current contact information.

10 The companies then download the information, and by May

11 1st of each year, the company's required to file a

12 complete and accurate annual report and pay regulatory

13 fees. And then we analyze the report to make sure

14 they -- they are complete, and we contact the company

15 to -- for any abnormalities.

16 **Q. Okay. And what is the process for paying**

17 **regulatory fees?**

18 A. I work with financial services office, and we --

19 if a company pays the regulatory fees online, that

20 payment goes directly to financial services. And we

21 work in concert to make sure that the company is

22 provided the credit to their account to make sure that

23 they pay the correct amount and if they've paid late,

24 then ensuring that they've paid any late fees or

25 interest.

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EXAMINATION OF STARK / ROBERSON

1 **Q. Fair enough.**

2 **Does the Commission maintain a searchable**

3 **database that allows you to determine whether or not a**

4 **company has paid regulatory fees and filed its annual**

5 **report?**

6 A. Yes.

7 **Q. And how does that process work?**

8 A. We maintain a list what's -- it's on our program

9 called the Annual Reporting Tracking System or ARTS for

10 short, and so each company's record is entered into ARTS

11 so that we can keep a record of when they filed, all the

12 company information is in there, how much regulatory

13 fees are due, and anytime there's contact with the

14 company via phone, we document that information. If

15 we've sent them letters, we also document that in ARTS

16 so that there's a complete record of the process for

17 them.

18 **Q. And have you gone through that process with each**

19 **of the companies listed in the complaint?**

20 A. Yes.

21 **Q. And do you know when the last time you looked**

22 **for each of these companies in terms of whether or not**

23 **they filed or paid?**

24 A. Yes. Actually, three days ago.

25 **Q. Okay. Did John Volken Academy file an annual**

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EXAMINATION OF STARK / ROBERSON

1 report or pay its regulatory fees last year?

2 A. No.

3 **Q. Did Johnson's Moving LLC file an annual report**

4 **or pay regulatory fees last year?**

5 A. No.

6 **Q. Did Alberto Moreno Mendoza file an annual report**

7 **or pay regulatory fees last year?**

8 A. No.

9 **Q. Did Property Pros Exterior Solutions file an**

10 **annual report or pay regulatory fees last year?**

11 A. No.

12 **Q. Did Redefyne Moving LLC file an annual report or**

13 **pay regulatory fees last year?**

14 A. No.

15 **Q. Did We Like to Move It, Move It!! file an annual**

16 **report or pay regulatory fees last year?**

17 A. No.

18 MR. ROBERSON: Staff is pretty much done,

19 Your Honor.

20 JUDGE DOYLE: And just for the -- my

21 clarification, did JFS Transport, Incorporated pay their

22 regulatory fees last year?

23 MR. ROBERSON: Oh.

24 MS. STARK: No, they did not.

25 JUDGE DOYLE: Thank you.

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1           Okay. And then, Mr. Roberson, would you  
2 like to make a closing statement or summarize  
3 Ms. Stark's statements?  
4           MR. ROBERSON: Sure. I believe it's under  
5 WAC 480-15-451 and WAC 480-15-302(1), the Commission is  
6 authorized to cancel the household goods carrier permits  
7 of companies that fail to file annual reports or pay  
8 their regulatory fees. The remaining companies listed,  
9 which would be as you just noted, JSF Moving, John  
10 Volken Academy, Johnson's Moving LLC, Alberto Moreno  
11 Mendoza, Property Pros Exterior Solutions LLC, Redefyne  
12 Moving LLC, and We Like to Move It, Move It!! all failed  
13 to file their annual reports and pay regulatory fees.  
14 Staff requests that the Commission cancel their  
15 household goods carrier permits.  
16           JUDGE DOYLE: I will issue an initial order  
17 in this docket reflecting that the seven companies  
18 previously named were held in default today for failing  
19 to appear. The record supports not only holding these  
20 companies in default, but also canceling their household  
21 goods permits.  
22           The seven companies having come into  
23 compliance will have the complaints against them  
24 dismissed, and I will include Friends and Family Moving  
25 subject to their payment of fees and interest by

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1 tomorrow close of business.  
2           Anything else?  
3           MR. ROBERSON: Not from Staff.  
4           JUDGE DOYLE: Okay. Thank you. We're  
5 adjourned.  
6           (Adjourned at 1:41 p.m.)  
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1           C E R T I F I C A T E  
2  
3 STATE OF WASHINGTON  
4 COUNTY OF THURSTON  
5  
6           I, Tayler Garlinghouse, a Certified Shorthand  
7 Reporter in and for the State of Washington, do hereby  
8 certify that the foregoing transcript is true and  
9 accurate to the best of my knowledge, skill and ability.  
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Tayler Garlinghouse, CCR 3358