

Docket No. TV-210962 - Vol. I

**In the Matter of the Investigation of: ATeam Moving,
LLC**

February 2, 2022



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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation) DOCKET NO. TV-210962
of:)
))
ATEAM MOVING, LLC)
))
For compliance with WAC 480-15-555)
and WAC 480-15-570)
)

VIRTUAL BRIEF ADJUDICATIVE PROCEEDING
ADMINISTRATIVE LAW JUDGE ANDREW J. O'CONNELL

VOLUME I
Pages 1 - 31

Washington Utilities and Transportation Commission
621 Woodland Square Loop Southeast
Lacey, Washington 98503

(All participants appeared via videoconference.)

DATE TAKEN: February 2, 2022

REPORTED BY: Sarah K. Webb, RSR, CCR #5567

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APPEARANCES

ADMINISTRATIVE LAW JUDGE:

ANDREW J. O'CONNELL

COUNSEL FOR THE WASHINGTON UTILITIES
AND TRANSPORTATION COMMISSION:

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RESPONDENT:

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Ateam98685@gmail.com

WITNESS PANEL:

JASON SHARP
TRACY COBILE

Also present: Ryan Smith, Mathew Perkins

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1 LACEY, WASHINGTON

2 FEBRUARY 2, 2022

3 1:38 p.m.

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

6

7 JUDGE O'CONNELL: Good afternoon, this is
8 Docket TV-210962, which is captioned in the matter of
9 the investigation of ATeam Moving, LLC, for compliance
10 with Washington Administrative Code 480-15-560 and 570.

11 My name is Andrew O'Connell and I'm the
12 administrative law judge presiding over today's brief
13 adjudicative proceeding. Today is Wednesday, February
14 2nd, 2020 (sic) and the time is just about 1:40 in the
15 afternoon.

16 On December 22nd, 2021, the Commission issued a
17 notice of intent to cancel, notice of brief adjudicative
18 proceeding saving time for oral statements. The
19 Commission issued that notice of intent to cancel
20 following the compliance review conducted by Commission
21 Staff and completed in December of 2021, which resulted
22 in a proposed unsatisfactory safety rating for
23 ATeam Moving. The Company had until January 19, 2022,
24 to file a proposed safety management plan. As of this
25 time of the hearing, I'm unaware of any proposed safety

1 management plan currently in the docket.

2 Before we get started, I want to address the
3 penalty assessment in Docket TV-210963 in the amount of
4 \$4,300. The Company has 15 days after receiving the
5 notice of the penalty assessment to return an attached
6 form indicating that would pay the penalty, contest the
7 violation for admit violations and request mitigation of
8 the amount. Again, I'm unaware of any response from the
9 Company to the penalty assessment in the docket at this
10 time.

11 So to the parties, as the penalty and the
12 unsatisfactory safety rating are from the same
13 compliance review, I'm assuming that neither party would
14 have an objection to consolidating the Dockets TV-210962
15 and 963, so that we can address all of the issues here
16 today. Is there any problem with consolidating them so
17 we can address all of those issues?

18 MR. TEIMOURI: Thank you, Your Honor. This
19 is Daniel Teimouri, assistant attorney general, here on
20 behalf of Commission Staff. And Staff has no objection
21 to consolidating the penalty assessment docket with the
22 safety rating docket, thank you.

23 THE COURT: Okay. From the Company,
24 Mr. Bolman, are you on the line?

25 MR. BOLMAN: Yes, sir, yes, Your Honor.

1 THE COURT: Are you okay with us addressing
2 all of the issues from both of those dockets today?

3 MR. BOLMAN: Yes, sir, yes.

4 JUDGE O'CONNELL: Okay. And those matters
5 are consolidated and we'll hear from both parties from
6 both dockets this afternoon.

7 So as we go forward, I will swear in each
8 party's witness with the oath of witness so that
9 anything you tell the Court will be under oath and can
10 be considered sworn testimony. For the court reporter's
11 benefit, please speak slowly and clearly. Once you are
12 sworn in, you can present your testimony.

13 I'm going to have Staff address the violations
14 included in its report and its proposed unsatisfactory
15 safety rating and then following Staff's presentation,
16 the Company will have a chance to ask Staff's witnesses
17 questions and then the Company can present its
18 testimony.

19 At that time, Mr. Bolman, you can address the
20 violations and penalty assessment as well. And once you
21 are done testifying, Staff's attorney might also have
22 some questions for you and then Staff will make a
23 recommendation on the penalty.

24 Are there any questions before we get started
25 with appearances?

1 MR. TEIMOURI: Not from me.

2 JUDGE O'CONNELL: Okay. And let's take
3 appearances from Commissions Staff, Mr. Teimouri.

4 MR. TEIMOURI: Thanks, Judge O'Connell.
5 This is Daniel Teimouri, assistant attorney general,
6 here on behalf of Commission Staff.

7 JUDGE O'CONNELL: And who will be testifying
8 today on behalf of Staff?

9 MR. TEIMOURI: We have two witnesses today,
10 Mr. Jason Sharp and Mrs. Tracy Cobile.

11 JUDGE O'CONNELL: Okay. And for the
12 Company, would you please state your name and address
13 for the record, spelling your last name?

14 MR. BOLMAN: Yes. That's Daniel Bolman,
15 B-O-L-M-A-N, representing ATeam Moving. Address is 2021
16 South Meadowlark Drive in Ridgefield, Washington 98642.

17 JUDGE O'CONNELL: And I see that you're
18 calling in on a telephone number. Can you give us that
19 phone number? Is that the phone number for you?

20 MR. BOLMAN: Yes, that is area code
21 (360)836-7735.

22 JUDGE O'CONNELL: Thank you. Is there any
23 email address for you?

24 MR. BOLMAN: Yes, there is. It is under
25 ATeam98685@gmail.com.

1 JUDGE O'CONNELL: Okay. For the three
2 witnesses, Ms. Cobile and Mr. Sharp and Mr. Bolman, will
3 you please raise your right hand and I'll swear you in
4 at this time.

5 (Whereupon witnesses were duly sworn.)

6 MR. SHARP: I do.

7 MR. BOLMAN: I do.

8 JUDGE O'CONNELL: Okay. I've heard from
9 Mr. Sharp and Mr. Bolman. Ms. Cobile, I think you're
10 still on mute, can I have an affirmative "yes" from you?

11 MS. COBILE: Yes, Your Honor.

12 JUDGE O'CONNELL: Thank you.

13 So, Mr. Teimouri, you may proceed when you are
14 ready.

15 And to reiterate, Mr. Bolman, you will have an
16 opportunity to ask questions of Staff's witnesses and
17 then after Staff has finished its presentation, it will
18 be your turn to give testimony and tell your side of the
19 story.

20 Mr. Teimouri, go ahead.

21 MR. TEIMOURI: Thank you, Judge O'Connell.

22 And good afternoon to everyone. Again, I'm
23 Daniel Teimouri, assistant attorney general, here
24 representing the Utilities and Transportation Commission
25 Division, and I'm here on behalf of Commission Staff.

1 We're here today for the proceeding involving
2 ATeam Moving, LLC. Commission WAC 480-15-560 requires
3 carriers to comply with various safety requirements
4 including standards adopted 49 CFR. Staff intends to
5 introduce evidence through its two witnesses today that
6 shows that Ateam Moving, LLC, has violated commission
7 safety requirements based on the results of a prior
8 investigation conducted by Special Investigator,
9 Tracy Cobile.

10 Staff will now seek to introduce evidence
11 through the testimony of Tracy Cobile, thank you.

12 JUDGE O'CONNELL: Okay. Mr. Teimouri, how
13 is the testimony between your witnesses going to be
14 split up?

15 MR. TEIMOURI: So we're going to start --
16 we're going to -- Tracy Cobile will be giving testimony
17 regarding the investigation. And then Jason Sharp will
18 be giving testimony regarding the safety rating
19 calculation and the penalty assessment.

20 JUDGE O'CONNELL: Okay, thank you. You can
21 go ahead.

22 MR. TEIMOURI: Thank you.

23

24 TRACY COBILE, witness herein, having been first duly
25 sworn on oath, was examined and

1 testified as follows:

2

3 D I R E C T E X A M I N A T I O N

4 BY MR. TEIMOURI:

5 Q. Ms. Cobile, would you please state your name
6 and spell your last name for the record?

7 A. Tracy Cobile. C-O, B as in boy, I-L-E.

8 Q. What is your current position?

9 A. Special investigator with the motor carrier
10 safety program for the Utilities and Transportation
11 Commission.

12 Q. Thank you. And what are your responsibilities
13 in that position?

14 A. As a special investigator with the motor
15 carrier safety program for the Commission, I conduct
16 compliance investigations on regulated transportation
17 companies, which includes inspecting applicable company
18 records and also commercial motor vehicles.

19 Q. And what kind of training have you received in
20 order to prepare you to carry out those
21 responsibilities?

22 A. I obtained my investigative safety analysis
23 certification from the Federal Motor Carrier Safety
24 Administration and the United States Department of
25 Transportation. And prior to working for the UTC, I

1 served as a commercial motor vehicle enforcement officer
2 with the Washington State Patrol for seven years. Four
3 of those years were spent conducting new entrance safety
4 audits as a federal motor carrier administrative --
5 administration certified auditor.

6 Q. Thank you. And how long have you been in your
7 current position at the Commission?

8 A. As of January 16th, 2022, I have worked as a
9 special investigator with Utilities and Transportation
10 Commission for one year.

11 Q. Thank you. I would now like to move to ask you
12 questions about the matter at issue in today's hearing.
13 Are you familiar with ATeam Moving, LLC?

14 A. Yes, yes, I am.

15 Q. And how did you become aware of the present
16 matter today involving ATeam Moving, LLC?

17 A. As part of my 2021 work plan, on November 29th,
18 2021, ATeam Moving, LLC, a provisional household goods
19 carrier, was assigned to me to conduct a comprehensive
20 compliance review. And I met with the carrier for an
21 onsite investigation on December 7th, 2021.

22 Q. And I'd like to turn to what's been circulated
23 as Proposed Exhibit TC-1, since we're doing this
24 remotely, obviously I can't show this to you in person,
25 but do you have a copy of that handy?

1 A. Yes, I do.

2 Q. And what is this exhibit?

3 A. The Exhibit TC-1, is the final, approved
4 compliance review report submitted by me.

5 Q. And you completed this report?

6 A. Yes.

7 Q. What is the review date associated with this
8 report?

9 A. The final report is dated December 15th, 2021.

10 Q. And what does the report document overall?

11 A. The report documents my complete investigation
12 of the Company's regulatory compliance with the
13 commissions rules, standards and enforcement policy.

14 Q. And during your investigation of the Company,
15 did you find any safety violations?

16 A. Yes.

17 Q. How many violations did you find?

18 A. I identified 13 types of violations with a
19 total of 110 violations counted.

20 Q. And of those 110 violations, are there any that
21 were particularly concerning?

22 A. Yes, sir. The Company had four critical
23 violations.

24 Q. Can you explain a bit more for everyone what
25 you mean by "critical"?

1 A. A critical violation is where noncompliance
2 relates to a breakdown in the company's safety
3 management controls and are often demonstrated by a
4 pattern of noncompliance and are linked to higher
5 accident rates.

6 Q. Okay. And so as a result of your
7 investigation, was there a proposed safety rating?

8 A. Yes.

9 Q. And what was that proposed rating?

10 A. Proposed unsatisfactory.

11 Q. Thank you. And how were the results of your
12 investigation communicated to the company, ATeam Moving,
13 LLC?

14 A. On December 15th, 2021, I held a scheduled
15 closing appointment with Daniel Bolman, owner of the
16 company, where I provided a copy of the final report.
17 We went over the entire report together to include Part
18 A, Part B, recommendations and requirements as well as
19 the safety fitness rating and the safety management
20 plan. Guidance was also provided to Mr. Bolman and we
21 discussed that in detail as well.

22 Q. Are there any changes that you would like to
23 make to your report today?

24 A. No, sir.

25 Q. Thank you.

1 MR. TEIMOURI: Your Honor, at this time I
2 would like to move to admit Proposed Exhibit TC-1 into
3 evidence.

4 JUDGE O'CONNELL: Mr. Bolman, do you have
5 any objection to me allowing that report into the
6 record?

7 MR. BOLMAN: No, Your Honor.

8 JUDGE O'CONNELL: Okay. Then it will be
9 admitted.

10 (Exhibit No. TC-1 was admitted.)

11 MR. TEIMOURI: Thank you, Your Honor. Staff
12 has no further questions of Special Investigator Cobile
13 at this time.

14 JUDGE O'CONNELL: Okay. Ms. Cobile, before
15 you step away, Mr. Bolman, do you have any questions of
16 Ms. Cobile?

17 MR. BOLMAN: No, your Honor. She's been
18 extremely helpful and at this further point, no, I
19 don't.

20 JUDGE O'CONNELL: Okay. Okay, then, thank
21 you.

22 Ms. Cobile, you'll be excused.

23 Mr. Teimouri, please call your next witness.

24 MR. TEIMOURI: Thank you, Judge O'Connell.
25 And now Staff would like to call Jason Sharp to discuss

1 the safety rating determination and the penalty
2 assessment elements of this now consolidated docket.

3 JUDGE O'CONNELL: Mr. Sharp has already been
4 sworn in so, Mr. Teimouri, proceed.

5
6 JASON SHARP, witness herein, having been first duly
7 sworn on oath, was examined and
8 testified as follows:

9

10 D I R E C T E X A M I N A T I O N

11 BY MR. TEIMOURI:

12 Q. Good afternoon, Mr. Sharp. Would you please
13 state your name and spell your name for the record?

14 A. Jason Sharp, S-H-A-R-P.

15 Q. And what is your current position with the
16 Commission?

17 A. I am the motor carrier safety supervisor.

18 Q. And what are your responsibilities in that
19 position?

20 A. As the supervisor of our safety investigation
21 staff, I assign the safety investigative assignments
22 that they conduct, I review their investigative reports
23 and issue recommendations based on the findings of those
24 reports.

25 Q. And what kind of training have you received for

1 your role -- for that role?

2 A. Sure. So prior to becoming the supervisor, I
3 was also a safety investigator like Investigator Cobile.
4 I received training through the Federal Motor Care
5 Safety Administration as well as the Commercial Vehicle
6 Safety Alliance to conduct commercial vehicle
7 inspections as well as perform safety investigations.

8 Q. And about how long have you been in your
9 position with the Commission?

10 A. As supervisor, for four years.

11 Q. Thank you. I'd now like to ask you some
12 questions about the matter at issue in today's hearing.
13 Are you familiar with ATeam Moving, LLC?

14 A. Yes.

15 Q. And how did you become aware of the present
16 matter today involving ATeam Moving, LLC?

17 A. I assigned the investigation to
18 Investigator Cobile and reviewed her report and provided
19 the recommendations for follow-on action.

20 Q. And have you reviewed what's now been admitted
21 as Exhibit TC-1 here today?

22 A. Yes.

23 Q. Staff's investigative report, okay, thank you.

24 And are you familiar with how the safety rating
25 was determined in this case?

1 A. Yes. So the Commission adopts the Federal
2 Motor Care Safety Administration's safety rating
3 methodology. It's adopted by reference in Title 49,
4 Part 385. And with that, a carrier safety rating is
5 determined by its compliance in six factors related to
6 safety performance. Those are general safety
7 regulation, driver qualifications, operational controls,
8 vehicle maintenance, hazardous material and accident
9 ratio.

10 In this case, ATeam Moving had two of the
11 factors that equated to being unsatisfactory, those
12 factors were for driver qualifications and its
13 operational controls. And if we refer to the
14 Exhibit TC-1, on pages 18 and 19, is the safety fitness
15 rating explanation, and within that, it breaks it down
16 where -- as Investigator Cobile noted, there were
17 identification of critical violations that occurred
18 during the review. And as such, those negatively
19 impacted the Company's overall safety rating.

20 In this case, Factors 2, for driver
21 qualifications, Factors 3, for operational driving
22 equated to unsatisfactory. And so if we go to Page 19,
23 the following page, there is a formula for calculating
24 the overall safety fitness. And in this case, because
25 the Company had two factors which equated to

1 unsatisfactory, the overall proposed rating is
2 unsatisfactory.

3 Q. Thank you very much for that helpful
4 explanation, Mr. Sharp. Since the date that the Company
5 received notification of this proposed safety fitness
6 rating, that as just testified to by
7 Investigator Cobile, has the Company requested an
8 upgrade to a safety rating by way of submitting a safety
9 management plan?

10 A. Yes. The Company has submitted a couple of
11 versions of a safety management plan. As of yet, Staff
12 has been unable to accept the plan as it hasn't met all
13 the criteria in order for it to do so. Staff has been
14 in communication with the Company. I believe the
15 Company is working diligently to continue to work on a
16 plan to where Staff can accept it, but as of right now,
17 it is not at that state.

18 Q. Okay. So just to clarify, there has been some
19 exchange back and forth, but as of today, there's no
20 recommendation on the safety management plan we can
21 offer?

22 A. Not a recommendation for upgrade at this time.

23 Q. Thank you. And I'd like to now turn to the
24 penalty assessment away from the safety rating. Has the
25 Company responded to the penalty assessment with any

1 request for mitigation?

2 A. Not as of yet. I checked with the docket and I
3 didn't see any response there. I did have a phone
4 conversation with the company owner, Mr. Bolman,
5 yesterday and I advised him on his ability to respond to
6 that, and forwarded him another copy of the penalty
7 assessment and offered, you know, to help get that
8 filed. I haven't seen anything come through yet on that
9 though, so no recommendation for action at this time
10 from Staff on that.

11 Q. Thank you, Mr. Sharp. That's all the questions
12 I have for you at this time.

13 JUDGE O'CONNELL: Thank you.

14 Mr. Bolman, you're going to have a chance to
15 testify yourself in a moment, but before we get to that,
16 do you have any questions for Mr. Sharp?

17 MR. BOLMAN: No questions at this point.
18 Just -- I would just like to thank him for -- thank him
19 a lot for trying -- and helping me with the situation.
20 I mean, it's pretty hard to hear all of this right now
21 with the penalties and whatnot. And I'd like to thank
22 him for that, for helping us and no, I have no more
23 further questions for him.

24 JUDGE O'CONNELL: Okay, thank you.

25 Mr. Teimouri, is there anything else to present

1 from Staff?

2 MR. TEIMOURI: No, Your Honor. That's all
3 from Staff, thank you.

4 JUDGE O'CONNELL: Okay. Let's turn to the
5 Company, Mr. Bolman.

6 Mr. Bolman, I didn't receive any exhibits from
7 you in advance of the hearing, so we can proceed with
8 your testimony. Would you like to briefly explain about
9 the violations in the penalty assessment and describe
10 actions you're taking to correct violations and prevent
11 them from occurring again?

12 MR. BOLMAN: Yes, Your Honor. With my lack
13 of ability to work a computer, I know that sounds kind
14 of awful, but I've just ran into walls with a computer
15 on getting the proper documents to show my progression
16 on getting everything taken care of. I do know I have a
17 couple unsatisfactories, which are -- I don't know which
18 way to go about them. I've contacted UTC about my MC
19 number and then of course I have to get a more in-depth
20 background check.

21 And yeah, I just decided not knowing a lot of
22 the penalties that I have. I wasn't aware of most of
23 them and now that I am aware of them, I have taken steps
24 for me and the Company to provide the proper documents
25 for each employee, for all the work I've done

1 interstate, intrastate and, you know, just trying to get
2 everything lined up.

3 I was actually told that I could possibly --
4 you guys provide some type of class that would help us,
5 you know, continue to do good on this. I'm more of a
6 hands-on guy than a computer guy. And I would like to
7 add that -- well, I should have added that yesterday to
8 my safety management plan and that's -- yeah, that's,
9 you know, about it. I just want to try to just make
10 sure everything is legit, what you guys are needing it
11 to be and do whatever I need to do to make sure that,
12 you know, it stays up to par.

13 JUDGE O'CONNELL: Mr. Teimouri, do you have
14 any questions for Mr. Bolman?

15 MR. TEIMOURI: I do not at this time, thank
16 you, Your Honor.

17 JUDGE O'CONNELL: Mr. Bolman, in my review
18 of the penalty assessment, I see six notated types of
19 violations ranging -- well, the first one has to do with
20 conducting or failing to conduct or failing to retain
21 paperwork on criminal background checks for three
22 individuals and --

23 MR. BOLMAN: Yes.

24 JUDGE O'CONNELL: -- would you like to
25 address that violation?

1 MR. BOLMAN: One is my best friend that I've
2 known since I was 14, the other one is my family member.
3 I honestly wasn't aware of that, being a new company,
4 that's my only defense on that. And now that it's been
5 addressed to me, I have gotten background checks.

6 One of my employees I did a background check on
7 and it came up -- he came up as a different race, so I
8 didn't download it, and I used his Social Security and
9 all that.

10 And even myself, I did a background check on
11 myself and certain things didn't pop up under mine,
12 which I chatted with Tracy about. But I guess I got to
13 get a nationwide background check, which I'm having a
14 difficult time kind of tracking down.

15 But yeah, besides me just not knowing and with
16 family and friends working so close, I know them
17 personally, I didn't take in any consideration for the
18 State of Washington to have the proper documents for
19 that.

20 In moving forward, for anybody that ever worked
21 with me, before they even step foot on the truck or in
22 any resident's house or any type of employment with me,
23 they will have a full background check.

24 JUDGE O'CONNELL: And the second violation,
25 about using drivers not medically examined and

1 certified. Would you like to address those violations?

2 MR. BOLMAN: That's me, I'm the main driver
3 and I just didn't have it. Once I was aware of it, I
4 immediately went down and got our background checks. I
5 only had me and one other driver -- excuse me, not
6 background checks. We got our medical cards as soon as
7 the doctors would let us in and we do have our medical
8 cards for the two drivers. And I addressed that penalty
9 and I moved forward on it.

10 And also, I did set a calendar date for us to
11 make sure that that stays active without overlapping.
12 So I made a calendar note, an electronical calendar
13 note, to remind me before my two years is up to get an
14 updated one every two years.

15 JUDGE O'CONNELL: Thank you. And the third
16 violation I see has to do with maintaining driver
17 qualification files, I'm assuming that also includes
18 you. Would you like to address that violation?

19 MR. BOLMAN: Yeah. Again, I just didn't
20 realize the fine details of running a business and
21 having all that proper documents.

22 Since December -- or November 7th, we've been
23 keeping track of all of our work. Did have to do a
24 couple of corrections, like for instance today, Ms.
25 Tracy pointed out that this is considered work today

1 having this meeting and I wasn't aware of those ones.
2 When, you know, if I had to upgrade that, you know, I
3 didn't -- I don't consider this work. I'm a hard
4 worker, I worked hard labor my whole life. So when I
5 have a meeting like this, you know, I wasn't aware of it
6 to be work-related.

7 But as moving forward, I am keeping a firm
8 record of all the dates that we are working and not
9 working and what type of work it was, where it's going
10 and who's with me.

11 JUDGE O'CONNELL: Thank you. And so I'm
12 sensing kind of a theme from what you're testifying to.
13 The last three violations are about requiring a driver
14 to make a recordkeeping status, keeping minimum records
15 of vehicle inspection and maintenance and that you used
16 a commercial motor vehicle subject to a state inspection
17 program without it having been inspected under that
18 program. Are those similar explanations?

19 MR. BOLMAN: I got it now. I went in ahead
20 in taking care of that, I wasn't aware of submitting the
21 documents and keeping it on files and records from, you
22 know, windshield wipers to new tires. I have always
23 just kept my receipts, but I've never submitted into a
24 safety management plan for my maintenance.

25 But as of now, we do have one. And we have one

1 in fine detail, so anytime that the truck has any type
2 of issues, any problems whatsoever, we date it and then
3 we address that problem with a certified mechanic. So
4 most definitely moving forward on keeping the truck up
5 to par for the State of Washington.

6 And I just wanted to go on a note to when
7 Ms. Tracy did inspect my truck, I believe I just had a
8 couple lights out and windshield wipers, but when she
9 inspected my truck, also, it was sitting in the yard
10 getting the windshield wipers done. So, I mean, we are
11 on top of keeping a safety maintenance record for the
12 ATeam truck.

13 JUDGE O'CONNELL: Okay, thank you,
14 Mr. Bolman. I want to -- before we turn back to Staff,
15 I want to reiterate what the outcome of Staff's notice
16 of intent to cancel could mean for you and your company.

17 The safety management plan, make sure that
18 you've updated your safety practices. And if you don't,
19 and there isn't a safety management plan that's
20 approved, your company will have its permit canceled and
21 you won't be able to operate anymore. Do you understand
22 that as being a consequence of this?

23 MR. BOLMAN: Yes, your Honor. I'm very
24 aware of that. It's huge, it's been really stressing me
25 out to the point of not being able to sleep and whatnot.

1 This is definitely something that I'm definitely
2 stepping up for in finding time and getting everything
3 arranged because this is my livelihood. And, yes, you
4 know, I can't afford to not work and I definitely can't
5 afford to be suspended. So I'm definitely wanting to
6 get everything lined up and I am aware of it, yes, sir,
7 yes, your Honor, I am aware.

8 JUDGE O'CONNELL: Okay. I'd like to turn
9 back to Staff. Mr. Teimouri, after the testimony and
10 evidence presented in the hearing today, does Staff have
11 a recommendation?

12 MR. TEIMOURI: Yes, Your Honor. Staff would
13 request an opportunity to review the Company's safety
14 management plan, which as of yet is not entirely
15 complete and then identify any mitigating factors, which
16 we've been presented, some of which today here for the
17 first time.

18 And we do believe that Mr. Bolman is operating
19 in good faith and trying to address these concerns. So
20 we would request an opportunity to review the safety
21 management plan, identify any mitigating factors during
22 that time and that includes Staff's recommendation in
23 conjunction with the evaluation of the safety management
24 plan to this docket. That would be our preferred
25 approach if possible.

1 JUDGE O'CONNELL: Okay, thank you,
2 Mr. Teimouri.

3 So, Mr. Bolman, Staff is saying they want to
4 continue to work with you and try and get you all set up
5 to continue operating. Is there anything else you want
6 to say today on behalf of the Company?

7 MR. BOLMAN: On behalf of the Company, I'd
8 like to thank everybody for being patient with me and
9 thank you guys very much. And I will do my absolute
10 best to get on top of everything and stay on top of
11 everything for future audits.

12 Please show up anytime, any day, whatever. I
13 just definitely -- actually, I would like to know if
14 there is a class available and, you know, could I get
15 the information to line up for that.

16 I would just like to thank everybody for, you
17 know, thank you for giving me the opportunity to correct
18 this situation and move forward with a very positive
19 moving company.

20 JUDGE O'CONNELL: Okay. I'll let you get in
21 contact with Staff after this hearing to talk about
22 training. I do believe something is available, but I
23 will leave that to Staff to communicate with you about.

24 So before we are done for today, I want to
25 describe the process we'll have after this hearing. I

1 agree with Staff, Mr. Bolman, that it sounds like you
2 are going forward in good faith and making attempts to
3 come into compliance and correct the safety violations
4 that were discovered.

5 The -- there is -- there are some deadlines
6 looming in the near future, Mr. Bolman. The Company has
7 until February 11th to submit a safety management plan
8 approved by Staff. I'm going to leave the record in
9 both matters, the penalty assessment and the notice of
10 intent to cancel based on the proposed unsatisfactory
11 safety rating. I'm going to leave the record open for
12 Staff and the Company to be able to file any agreed
13 resolution of the penalty assessment as well as the
14 Company's proposed safety management plan and an
15 evaluation of that safety management plan from Staff.

16 But in lieu of receiving any filings from Staff
17 and the Company in these dockets, I do plan to issue an
18 order by February 14th, 2022, based on the testimony and
19 the evidence provided today at this hearing. So that
20 date in particular is important. It will provide the
21 entire 61 days before any cancellation of the Company's
22 permit, and that is the last -- that is the date when,
23 Mr. Bolman, if these things are not taken care of, the
24 Commission might cancel your permit for your company,
25 so...

1 MR. BOLMAN: Yes, sir, I understand.

2 JUDGE O'CONNELL: My plan to issue an order
3 on February 14, that -- are there any objections to that
4 timeline? This would typically -- or it would waive the
5 typical ten-day requirement for orders coming from
6 prejudicative proceedings, but given the timeline and
7 the good faith shown by the Company, I'd like to afford
8 the parties the time to see if these safety violations
9 can be remedied. So my question is, are there any
10 objections to the timeline?

11 MR. TEIMOURI: This is Dan Teimouri from
12 Commission Staff and no objections from us.

13 MR. BOLMAN: No, I think that's fair. I'm
14 fairly close to getting my SMP completed. Just -- yeah,
15 I think that's appropriate time.

16 JUDGE O'CONNELL: Okay.

17 MR. TEIMOURI: Your Honor, if I may raise
18 one point of clarification.

19 JUDGE O'CONNELL: Yes, please go ahead,
20 Mr. Teimouri.

21 MR. TEIMOURI: We just want to, you know, be
22 very technically clear, are we to assume that Staff has
23 requested mitigation today through his testimony?
24 Because the request was not made formally in the docket.
25 So are we to take it now that a formal request for

1 mitigation is in place going forward?

2 JUDGE O'CONNELL: I have not heard a request
3 for mitigation. But my intent in saying that I'm going
4 to leave the record open is that if Staff and the
5 Company are to come to an agreement, you can submit
6 something in the docket.

7 MR. TEIMOURI: Thank you for clarifying
8 that, Your Honor.

9 MR. BOLMAN: Thank you, Your Honor.

10 JUDGE O'CONNELL: Is there anything else,
11 Mr. Teimouri, Mr. Bolman, is there anything else we need
12 to address today before going off the record?

13 MR. BOLMAN: No, Your Honor. I'll be
14 keeping in contact with Mr. Jason and Mrs. Tracy to
15 finish, to get everything dialed in by the 11th.

16 MR. TEIMOURI: And nothing further from
17 Commission Staff, Your Honor.

18 JUDGE O'CONNELL: Okay, thank you. So as I
19 said, the records will remain open and the parties can
20 expect an order resolving this matter on February 14th.

21 We are adjourned and we are off the record.

22 (Hearing adjourned at 2:13 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON
COUNTY OF KING

I, Sarah K. Webb, a Certified Court Reporter in
and for the State of Washington, do hereby certify that
the foregoing transcript is true and accurate to the
best of my knowledge, skill, and ability.

IN WITNESS WHEREOF, I have hereunto set my hand
and seal this February 14th, 2022.

Sarah K Webb



Sarah K. Webb, RSR, CCR #5567