

**In the Matter of the Investigation of: Consiglieri  
Relocation PLLC**

**Docket No. TV-240255 - Vol. I**

**May 30, 2024**



1325 Fourth Avenue, Suite 1840, Seattle, Washington 98101  
Bellingham | Everett | Tacoma | Olympia | Yakima | Spokane  
Seattle 206.287.9066 Tacoma 253.235.0111 Eastern Washington 509.624.3261

[www.buellrealtime.com](http://www.buellrealtime.com)

email: [audio@buellrealtime.com](mailto:audio@buellrealtime.com)

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BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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In the Matter of the	)	
Investigation of CONSIGLIERI	)	DOCKET TV-240255
RELOCATION PLLC	)	
	)	
For Compliance with WAC	)	PAGES 1 - 28
480-15-560 and WAC 480-15-555	)	

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ADJUDICATIVE PROCEEDING - VOL. I

May 30, 2024

Administrative Law Judge Connor Thompson Presiding

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Transcribed by: Marjorie Jackson, CET

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A P P E A R A N C E S

Representative:

Jeff Roberson  
Assistant Attorney General  
P.O. Box 40128  
Olympia, Washington 98504-0128

Respondent:

Mario Consiglieri (not present)  
Consiglieri Relocation PLLC  
17921 10th Avenue NE  
Shoreline, Washington 98012

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20 NO. DESCRIPTION ADMITTED

21 LM-1 Report 11

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2 May 30, 2024

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4 ALJ THOMPSON: Thank you. We are now on the record.  
5 Good morning. Today is Thursday, May 30, 2024, and the  
6 time is 9:40 a.m. This is a hearing in Docket TV-240255.  
7 This docket is captioned In the Matter of the  
8 Investigation of Consiglieri Relocation PLLC for  
9 compliance with WAC 480-15-560 and -555.

10 This matter was initiated following an investigation  
11 by Commission Staff, which was completed on April 11,  
12 2024. Commission Staff has filed a Notice of Intent to  
13 Cancel. The Notice of Intent to Cancel and Complaint  
14 were sent to the company on April 23, 2024, and an  
15 evidentiary hearing in the matter was set for today,  
16 May 30, 2024.

17 My name is Connor Thompson, and I am the  
18 administrative law judge presiding over today's brief  
19 adjudicative proceeding. Before we move forward, I'll go  
20 ahead and quickly take an appearance from Staff.

21 MR. ROBERSON: Good morning, Judge Thompson. Jeff  
22 Roberson, AAG, appearing on behalf of Commission Staff.  
23 With me are Len McLaughlin and Jason Sharp who will be  
24 testifying on behalf of Staff.

25 ALJ THOMPSON: Thank you. And at this time, would

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1 Staff like to move for default, or would Staff like to  
2 proceed in a different matter?

3 MR. ROBERSON: I think Staff would prefer to move  
4 for default and then present its merits case so that  
5 there's a basis for any order that you issue to resolve  
6 the substantive issues in the matter.

7 ALJ THOMPSON: Okay. Having moved for default, I  
8 will take that under advisement, and then we can go ahead  
9 and proceed with the merits of the case. And I will take  
10 all of that under consideration as we move forward.

11 Does that work for Staff?

12 MR. ROBERSON: Yeah, absolutely.

13 ALJ THOMPSON: Okay. And just to be clear, since we  
14 don't have the company here, I did see that there was  
15 also a notice of penalties filed on April 25th. The  
16 company had 15 days to respond. I did not see any  
17 response on the record. And so just to clarify, before  
18 we get into the merits -- the merits of the case and the  
19 case presented today is strictly limited to whether or  
20 not the authority of the company should be canceled and  
21 not any issues on penalties.

22 Is that correct?

23 MR. ROBERSON: I'm aware of no requests for  
24 mitigation or a hearing, so Staff wouldn't be presenting  
25 any recommendation with regard to those things. I think

1 the penalty would just stand.

2 ALJ THOMPSON: Okay. Are there any other issues  
3 before we go ahead and proceed?

4 MR. ROBERSON: Not from Staff.

5 ALJ THOMPSON: Okay. At this time, if you would  
6 like to tender your first witness, we can hear from them.

7 MR. ROBERSON: Staff calls Leonard McLaughlin.

8 ALJ THOMPSON: Wonderful. Good morning,  
9 Mr. McLaughlin. Would you please raise your right hand  
10 and I'll swear you in. Do you swear or affirm that the  
11 testimony you will give today will be the truth, the  
12 whole truth, and nothing but the truth?

13 MR. McLAUGHLIN: Yes, Your Honor.

14 ALJ THOMPSON: Wonderful. Thank you.

15

16 LEONARD MCLAUGHLIN, witness herein, having been  
17 first duly sworn on oath,  
18 was examined and testified  
19 as follows:  
20

21 ALJ THOMPSON: The witness is yours for direct.

22

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

24 BY MR. ROBERSON:

25 Q. Good morning. Would you please state your name and spell

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1 your last name for the record?

2 A. Leonard McLaughlin, M-C-L-A-U-G-H-L-I-N.

3 Q. Who employs you?

4 A. Washington State Utilities and Transportation Commission.

5 Q. In what capacity does the Commission employ you?

6 A. I'm an investigator 3.

7 Q. And what are your duties as an investigator 3?

8 A. As an investigator 3, I perform compliance reviews of

9 carriers required records. They include hours of

10 service, vehicle maintenance, driver qualifications and

11 vehicle safety inspections.

12 Q. Have you received any training that would allow you to

13 carry out your duties as an investigator 3?

14 A. Yes.

15 Q. Would you please describe what those are?

16 A. I've received federal training through the Federal Motor

17 Carrier Safety Administration and Commercial Vehicle

18 Safety Alliance's on how to perform commercial vehicle

19 safety inspections and safety investigations.

20 Q. Are you generally familiar with the state and federal

21 regulations that govern the safe operation of household

22 goods carriers?

23 A. Yes.

24 Q. Are you familiar with a company called Consiglieri

25 Relocation, PLLC?



1 A. Yes, I am.

2 Q. And how did you become familiar with Consiglieri?

3 A. On March 5, 2024, I was assigned to Consiglieri  
4 Relocation to perform an investigation, safety  
5 investigation.

6 Q. Now, when you perform a safety investigation, how do you  
7 go about that? I believe you just mentioned that you  
8 look at some records. Kind of, how do you go about all  
9 of that?

10 A. We'll contact the carrier when we go do it and generally  
11 meet the carrier someplace, whether it be their place of  
12 business or a (inaudible) location where it's comfortable  
13 for everyone, where we have room to sit and look at the  
14 records. They'll bring in their records to us. We'll  
15 look at their driver qualification files, service vehicle  
16 maintenance files, insurance.

17 We'll check to see if their periodic inspections are  
18 being performed as required. And with household good  
19 carriers, we will also make sure their employee criminal  
20 background checks are being performed.

21 Q. And do you physically inspect the carrier's vehicles at  
22 that time or...

23 A. Yes.

24 Q. Okay. Did you perform all of these steps when you  
25 reviewed Consiglieri's operations?

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1 A. Yes, I did.

2 Q. Okay. When you finish reviewing a carrier's operations,  
3 do you produce a report of your findings?

4 A. Yes.

5 Q. And do you produce those reports in the ordinary course  
6 of business?

7 A. Yes, I do.

8 Q. And do you make those reports contemporaneously with the  
9 end of your safety review?

10 A. Yes.

11 Q. And is it important that those reports accurately reflect  
12 your findings?

13 A. Yes.

14 Q. Why is that?

15 A. They do the reports because it documents a carrier's  
16 operation. It documents any violations that we have,  
17 might have found during the investigation. And it also  
18 provides recommendations to help a carrier correct their  
19 violations.

20 Q. Did you produce a report of your findings at the  
21 conclusion of your review of Consiglieri's operations?

22 A. Yes, I did.

23 Q. And did you make that report in the ordinary course of  
24 business?

25 A. Yes, I did.

1 Q. Did you make it contemporaneously with the completion of  
2 your review?

3 A. Yes.

4 Q. And did that report accurately reflect what you found?

5 A. Yes, it did.

6 Q. At this time, would you please turn to the exhibit marked  
7 LM-1.

8 A. Okay. Yes.

9 Q. And for the record, can you explain where you got LM-1?

10 A. This is my investigation findings for the Consiglieri.

11 Q. And did you get it from anywhere this morning on the web?

12 A. Yes, I got it from the UTC point where we enter our stuff  
13 in.

14 Q. You accessed it from the docket?

15 A. Yes.

16 Q. Okay. Would you please identify that document?

17 A. That's the investigation findings. That's actually the  
18 report that we turn in -- I turn in.

19 Q. And is that a true and accurate copy of the report that  
20 you produced after your review of Consiglieri's  
21 operations?

22 A. Yes, it is.

23 MR. ROBERSON: Judge Thompson, at this point, Staff  
24 would move to admit LM-1.

25 ALJ THOMPSON: Okay. Because there's no party to

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1 object to the admission of the exhibit, and I find  
2 there's no reason for the exhibit not to be admitted,  
3 Exhibit LM-1 is admitted to the record.

4 (Exhibit No. LM-1 admitted into evidence.)

5 Q. Now, I'd like to talk to you a bit about the results of  
6 your review. I'd like to begin with driver qualification  
7 files.

8 What is a driver qualification file?

9 A. The driver qualification file is a file which contains  
10 the application, background checks, medical examiner  
11 certificates, driving record checks to determine driver's  
12 fitness for performing a safety-sensitive job such as  
13 driving commercial motor vehicles.

14 Q. And do you look for driver qualification files when you  
15 perform a safety review?

16 A. Yes, yes.

17 Q. How do you do that?

18 A. I'll take the file and I'll review the file to make sure  
19 that all the requirement -- all the required documents  
20 are in there, all the things I mentioned above, the  
21 medical certificate, application. So I'll take a look at  
22 that file. We'll look through it with the carrier there  
23 and see what documents are there.

24 Q. Did you look for driver qualification files when you  
25 reviewed Consiglieri's operations?

1 A. Yes, I did.

2 Q. Did you find driver qualification files for all of its  
3 drivers?

4 A. No, I didn't.

5 Q. And how many drivers did not have a driver qualification  
6 file?

7 A. Two.

8 Q. Does the Federal Motor Carrier Safety Administration, the  
9 FMCSA, classify some violations of its regulations as  
10 critical violations?

11 A. Yes.

12 Q. And is the failure to maintain driver qualifications one  
13 such violation?

14 A. Yes, it is.

15 Q. What does it mean for a violation to be considered a  
16 critical violation?

17 A. A critical violation are those that are identified as  
18 such where a noncompliance of it is indicative of  
19 breakdowns in the company's safety management controls.  
20 And it's also demonstrated by a pattern of noncompliance.

21 Q. Okay. Moving on, I'd like to talk about criminal  
22 background checks. You earlier testified that you looked  
23 for criminal background checks, but what is a criminal  
24 background check?

25 A. It's a check to see if employees have any criminal

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1 convictions nationally that would prohibit them from  
2 working in the household goods industry.

3 Q. And when you review a carrier's operations, do you look  
4 for criminal background checks for all employees or all  
5 drivers, or none of the above?

6 A. All employees.

7 Q. All employees. And how do you do that?

8 A. Basically they'll -- the carrier will go, they'll get the  
9 background check done. And then -- it's actually on a  
10 form and it's in their file, so I can actually look at  
11 the paperwork that's given to them. And they'll say,  
12 "Clear." It'll basically say what was checked and all  
13 that, it was done on a national basis, if they had any  
14 violations.

15 Q. Did you look for criminal background checks for all of  
16 Consiglieri's employees?

17 A. Yes, I did.

18 Q. And did it have criminal background checks for all of its  
19 employees?

20 A. No.

21 Q. How many employees did it lack criminal background checks  
22 for?

23 A. Three employees, they did not have them for.

24 Q. Is the failure to perform criminal background checks  
25 treated as a critical violation?

1 A. Yes, it is.

2 Q. Moving on again, I'd like to talk about maintenance  
3 records. When you review a carrier's files, I believe  
4 you testified that you look at maintenance records. What  
5 do you look for?

6 A. When we're looking in their maintenance files, again,  
7 when the documents are done -- I mean, when the  
8 inspections are done, what vehicle maintenance is  
9 performed, what vehicles they have. There are certain  
10 things that are required to be on it. Tire size on the  
11 vehicles, things like that. The maintenance being done,  
12 things such as that. Make sure it's all being done  
13 properly.

14 Q. And did you look to make sure that Consiglieri had these  
15 minimum maintenance records for all of its vehicles?

16 A. Yes.

17 Q. And did it?

18 A. No.

19 Q. How many vehicles did it lack the minimum maintenance  
20 records for?

21 A. Two vehicles.

22 Q. Does FMCSA consider the failure to maintain minimum  
23 maintenance records a critical violation?

24 A. Yes, it does.

25 Q. And next I'd like to talk about records of duty status.

Page 15

1 What is a record of duty status?

2 A. It's a record of how many hours a driver has been on  
3 duty, driving and rest periods.

4 Q. When you review a carrier's operational records, do you  
5 look for records of duty status?

6 A. Yes, we do.

7 Q. And did you look for those records here when you reviewed  
8 Consiglieri's operations?

9 A. Yes.

10 Q. And did you find them, or all that you expected to find?

11 A. No. Pardon me. Did we find -- we looked at them, and he  
12 was missing two. So we looked at them, but he was  
13 missing two records.

14 Q. Okay. And does FMCSA consider the failure to maintain  
15 records of duty status a critical violation?

16 A. Yeah, it's a critical type violation.

17 Q. I believe the last topic I would like to cover with you  
18 is periodic vehicle inspections. What is a periodic  
19 vehicle inspection?

20 A. It's an annual safety inspection required by a certified  
21 mechanic. So federal regulations say it needs to be  
22 inspected every year annually, and it has to be done by a  
23 qualified mechanic to do that. And it checks all the  
24 safety issues, required equipment that's supposed to be  
25 in a commercial motor vehicle.



1 Q. And so when you review a carrier's operations, you're  
2 looking for these records?

3 A. Yes, I am.

4 Q. And did you find records of periodic vehicle inspections  
5 here?

6 A. He had one completed, and he was required to have two.

7 Q. So Consiglieri had not completed the periodic vehicle  
8 inspections for one of those two vehicles, or one of its  
9 two vehicles?

10 A. Correct.

11 MR. ROBERSON: That is all I have for Investigator  
12 McLaughlin, Judge Thompson.

13 ALJ THOMPSON: Okay. Thank you.

14 Investigator McLaughlin, I have just a couple of  
15 follow up questions for you.

16

17 E X A M I N A T I O N

18 BY ALJ THOMPSON:

19 Q. Regarding the violations for periodic inspections and  
20 maintenance, specifically referring to parts 396.17(a)  
21 and 396.3(b), do you have your report in front of you, a  
22 copy of your report?

23 A. I'm grabbing it right now, Your Honor. I have it in  
24 front of me, but I need to get down to that portion of  
25 it.

Page 17

1 Q. Okay, great. And I'm specifically looking at page 15 or  
2 page 4 of 5, for part C of the report. I just want to  
3 make sure I have this straight. So for failure to  
4 maintain the minimum records of inspection and vehicle  
5 maintenance, it looks like up above we have two  
6 discovered violations. Do both of those pertain to the  
7 one truck? It sounds like one truck was not available  
8 because it was broken down in New Mexico, and the other  
9 was present.

10 A. That would be -- one of them didn't have the maintenance  
11 records in there. And the other one, I'm going to scroll  
12 back up, just make sure, but I believe that the other  
13 truck didn't have the required maintenance records  
14 either. One didn't have them at all. There was no  
15 paperwork. And the other one didn't have enough in there  
16 that would have been considered a true maintenance  
17 record.

18 Q. Okay. And so the violations were not just simply  
19 violations due to retention because one truck was in New  
20 Mexico. In fact, there weren't records for either truck,  
21 including the truck that was present at the location?

22 A. Right. They weren't sufficient records for the one that  
23 was at the location or the other one.

24 Q. Okay. Okay. Thank you for clarifying that for me.

25 ALJ THOMPSON: I don't think I have any further

1 questions.

2 And, with that, Staff, I will give you an  
3 opportunity for redirect in case that arose any questions  
4 for you.

5 MR. ROBERSON: It did not.

6 ALJ THOMPSON: Okay. Thank you. You may step down,  
7 Mr. McLaughlin. Thank you.

8 MR. McLAUGHLIN: Thank you, Your Honor.

9 MR. ROBERSON: And at this time, then, Staff will  
10 call Jason Sharp.

11 ALJ THOMPSON: Good morning. If you would please  
12 raise your right hand. Do you swear or affirm that the  
13 testimony you will give today will be the truth, the  
14 whole truth and nothing but the truth?

15 MR. SHARP: Yes, I do.

16 ALJ THOMPSON: Thank you.

17

18 JASON SHARP, witness herein, having been  
19 first duly sworn on oath,  
20 was examined and testified  
21 as follows:

22

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

24 BY MR. ROBERSON:

25 Q. Good morning. Would you please say your name and spell

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1 your last name for the record.

2 A. Yes. My name is Jason Sharp, S-H-A-R-P.

3 Q. Who employs you?

4 A. The Washington Utilities and Transportation Commission.

5 Q. And what position do you hold at the Commission?

6 A. My job title is the motor carrier safety supervisor.

7 Q. And how long have you held the title of Motor Carrier  
8 Safety Supervisor?

9 A. Since 2017.

10 Q. What are your duties as the motor carrier safety  
11 supervisor?

12 A. I assign the compliance investigations, such as the one  
13 in this case to Investigator McLaughlin. I review the  
14 investigation reports and provide recommendations to the  
15 Commission in alignment with our enforcement policy,  
16 based on the findings of the investigator.

17 Q. Have you had any training to enable you to carry out your  
18 duties?

19 A. Yes. Similar to Investigator McLaughlin, prior to being  
20 in my current role, I was a safety investigator at the  
21 Commission, receiving training through the FMCSA and the  
22 Commercial Vehicle Safety Alliance.

23 Q. Are you familiar with the state and federal regulations  
24 that govern the safe operation of household goods  
25 carriers?

1 A. Yes, I am.

2 Q. Are you familiar with the company we've been discussing  
3 this morning, Consiglieri Relocation, PLLC?

4 A. Yes, I am.

5 Q. And I believe you just testified that you assigned  
6 Investigator McLaughlin to do the safety review?

7 A. Correct. And I reviewed his investigation report.

8 Q. So when an investigator completes a review and completes  
9 his or her report, what does Staff do? What are the next  
10 steps in kind of the compliance review process?

11 A. Upon completion with the carrier, depending on what the  
12 proposed rating of the carrier would be, Staff looks at  
13 what our enforcement policy would call for, what the  
14 federal requirements call for. In this case, we have a  
15 provisional household goods carrier that's required to  
16 achieve a satisfactory rating prior to receiving  
17 permanent authority. The proposed rating in this  
18 investigation resulted in a conditional safety rating,  
19 which led Staff to issue the notice of intent to cancel  
20 based on the lack of the company achieving that  
21 satisfactory requirement.

22 Q. Okay. So to parse that out, the safety rating, could you  
23 explain how that is calculated?

24 A. Yes. Looking at the Exhibit LM-1, starting on page 10 is  
25 a safety fitness rating explanation. But in general,

Page 21

1 companies receive negative points for violations that are  
2 discovered based on acute or critical violations. Also  
3 calculated in there is the out-of-service rate of the  
4 vehicle inspections and any accident or crash ratio that  
5 the company has in association with its similar-sized  
6 peer carriers.

7 In this particular case, these factors are broken  
8 into six different categories. The carrier received  
9 critical violations in three separate factors. So on  
10 page 10, factor 2 highlights 1 point, which equals a  
11 conditional for that factor for the company not  
12 maintaining driver qualification files for each driver  
13 employed.

14 The next factor, factor 3, also received 1 point  
15 calculating two conditional for that factor for failing  
16 to obtain criminal background checks for every employee  
17 that it intends to hire.

18 And then additionally, factor 4 received 1 point  
19 calculating two conditional for that factor for failing  
20 to maintain vehicle maintenance files.

21 What you don't see here is the critical type  
22 violations because they didn't demonstrate a pattern. So  
23 Investigator McLaughlin just testified to the company  
24 missing one periodic inspection because it wasn't more  
25 than one violation of that per the sample size that he

1 looked at. That doesn't factor into the safety  
2 calculation. So that's -- it would be a reason why you  
3 don't see that or the failing to maintain a record of  
4 duty status in here because it didn't calculate to 10  
5 percent of the sample or more than one, depending on  
6 that. So hopefully that was explained clearly.

7 If you go to page 11, the next page it gives you the  
8 breakdown. The company's performance was here. The  
9 company had three factors that calculated two  
10 conditional, and then zero, that reached the  
11 unsatisfactory mark. And so the next table down shows  
12 that if a company has zero unsatisfactory factors and  
13 three or more conditional -- or three or more  
14 conditional, then the overall proposed rating would be  
15 conditional. And so that's what the company calculated.

16 And this is based off of our adoption of the Federal  
17 Motor Carrier Safety Administration's safety rating  
18 methodology.

19 Q. Okay. So just to confirm, I guess, the calculated safety  
20 rating here was conditional?

21 A. Correct.

22 Q. As you testified. Okay. So can a carrier upgrade its  
23 safety rating?

24 A. Yes. It would do that through the submittal and  
25 acceptance of a safety management plan.

Page 23

1 Q. What is a safety management plan?

2 A. A safety management plan is a response to violations by  
3 the carrier which identify why each violation was allowed  
4 to occur in the first place. It demonstrates what a  
5 carrier has done to correct those violations or is in the  
6 process of correcting in the event that it's, you know,  
7 bringing on additional resources such as a safety  
8 consultant or something to help out its program, while  
9 also providing actual documentation of the corrections.  
10 And also identifying what measures have been put in place  
11 so that the company doesn't have recurring violations in  
12 the future.

13 And these safety plans are also requiring a carrier  
14 certification that they -- that their safety program  
15 meets the safety standards set in Title 49 CFR part 385.5  
16 and 385.7, and that they will continue to operate in  
17 accordance with those regulations.

18 Q. You mentioned the submission of a safety management plan.  
19 Who does the carrier submit that to?

20 A. They submit that to me.

21 Q. And do you work with carriers to provide them with  
22 feedback on their -

23 A. Yes.

24 Q. -- drafts? So if a carrier submits a safety management  
25 plan and it's not acceptable, you work with them to make



1           it acceptable, I guess, to bring it up to meeting the  
2           standards?

3    A.    Yes.  Each time a carrier submits a draft, I'll review it  
4           and I'll respond to that carrier official who submitted  
5           the plan and let them know whether it has been accepted  
6           or not accepted, and I identify areas where the plan is  
7           deficient.

8    Q.    Did Consiglieri submit a safety management plan?

9    A.    The carrier did, and I responded twice to the carrier  
10           that their plan did not meet the requirements.  I shared  
11           with them the requirements, as well as provided feedback  
12           on where their plan could use further work.

13   Q.    So at this point, has Consiglieri submitted a safety  
14           management plan that addresses your concern and meets the  
15           qualifications of 49 CFR part 385?

16   A.    No.

17   Q.    So do you have a recommendation as to what the Commission  
18           should do with Consiglieri's safety rating?

19   A.    The recommendation would be that they -- that the safety  
20           rating remained conditional.

21   Q.    And the consequence for that, as you've mentioned, is  
22           that under the Commission's rules, because this is a  
23           provisional carrier, the Commission would cancel -- you  
24           recommend the commission cancel the carrier's  
25           certificate?

Page 25

1 A. Yes.

2 MR. ROBERSON: I have no further questions for  
3 Mr. Sharp.

4 ALJ THOMPSON: Thank you. Just one quick follow-up  
5 question.

6

7 E X A M I N A T I O N

8 BY ALJ THOMPSON:

9 Q. Does the company still have time for submission of the  
10 safety management plan?

11 A. Yes, they do. I believe the cancellation date is set for  
12 June 11th, which is a Tuesday. So the company would need  
13 to come into compliance by no later than June 10th, per  
14 our procedures to have a plan accepted.

15 Q. Okay. And I said one more question, but I've got a  
16 couple more.

17 A. Sure.

18 Q. And if the company does submit a safety management plan  
19 that satisfies the requirements, will you please notify  
20 me before June 11th of that so we can proceed  
21 accordingly?

22 A. Yes, I'd be happy to issue a valuation to the docket for  
23 you.

24 Q. Okay.

25 ALJ THOMPSON: I have no further questions for you

1 at this time. So I think at this time, Mr. Sharp, you  
2 can go ahead and step down.

3 MR. SHARP: Thank you.

4 MR. ROBERSON: Staff has nothing further.

5 ALJ THOMPSON: Okay. Any willingness or eagerness  
6 to give a closing statement?

7 MR. ROBERSON: I guess the former, yes; the latter,  
8 no. If you want a closing statement, I'm happy to give  
9 it, but I don't need to.

10 ALJ THOMPSON: No.

11 MR. ROBERSON: If you're fine, I'm fine skipping the  
12 closing statement.

13 ALJ THOMPSON: Yeah, we can go ahead and waive  
14 closing statements. I would ask that, because we do have  
15 until June 11th until the cancellation date for the  
16 company to submit a safety management plan, that if it is  
17 okay with Staff, that we waive the requirement to issue  
18 an order within ten days?

19 MR. ROBERSON: Absolutely.

20 ALJ THOMPSON: Okay. We will go ahead and proceed  
21 then. And we do have the motion for default on record,  
22 as well as I think a well-established record of what  
23 occurred and an explanation of the violations that  
24 occurred. And so I think that we can go ahead and  
25 proceed at this time.

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1           One last matter, the transcript from today's  
2 proceeding, if it is needed, will come in after June  
3 11th. And so if we don't see a safety management plan  
4 from the company -- or if we do see a safety management  
5 plan from the company that comes in that is satisfactory,  
6 an order might take until after the 11th.

7           But with that notice, I don't think we have anything  
8 further for today. And so thank you all for appearing  
9 today and we can go ahead and go off the record.

10                           (Conclusion of hearing)

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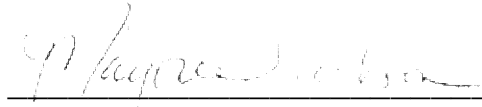
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STATE OF WASHINGTON )  
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COUNTY OF KING )

I, the undersigned, do hereby certify under penalty of perjury that the foregoing court proceedings or legal recordings were transcribed under my direction as a certified transcriptionist; and that the transcript is true and accurate to the best of my knowledge and ability, including changes, if any, made by the trial judge reviewing the transcript; that I received the electronic recording in the proprietary court format; that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially interested in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of June, 2024.

  
\_\_\_\_\_



s/ Marjorie Jackson, CET