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BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation of:)
AAA PARTY BUS, LLC, d/b/a SEATTLE) Docket Nos.
PARTY BUS RENTALS,) TE-160910
For Compliance with WAC 480-30-221) TE-160824
)
)

BRIEF ADJUDICATIVE PROCEEDING, VOLUME I

PAGES 1 - 27

ADMINISTRATIVE LAW JUDGE RAYNE PEARSON

1:31 P.M.

AUGUST 24, 2016

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A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGE:

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BRIEF ADJUDICATIVE PROCEEDINGS

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OLYMPIA, WASHINGTON; AUGUST 24, 2016

1:31 P.M.

--o0o--

JUDGE PEARSON: Well, then, we will be on the record.

Good afternoon. This is Docket TE-160910, which is captioned in the matter of the investigation of AAA Party Bus, LLC, d/b/a Seattle Party Bus Rentals, for compliance with WAC 480-30-221.

My name is Rayne Pearson. I'm the administrative law judge presiding over today's brief adjudicative proceeding; and today is Wednesday, August 24th, 2016, at approximately 1:30 p.m.

On August 2nd, 2016, the Commission issued a notice of intent to cancel certificate as an auto transportation carrier, notice of brief adjudicative proceeding, setting time for oral statements. The Commission issued the notice of intent to cancel following a compliance review conducted by Commission Staff in June 2016 which resulted in a proposed unsatisfactory safety rating for Seattle Party Bus Rentals.

The Company had until August 17th, 2016, to file a proposed safety management plan, which I understand the Company has done; correct?

1 MS. GREEN: Yes. Mm-hmm.

2 JUDGE PEARSON: Okay. And we will be
3 addressing how that affects the Company's safety rating
4 today.

5 And as we talked about before we went on the
6 record, I wanted to also address the penalty assessment in
7 Docket TE-160824 in the amount of \$2,300. Ms. Green filed
8 an application for mitigation in that docket on
9 August 17th, 2016, and as we discussed off the record, the
10 parties have agreed to address those violations today --

11 MS. GREEN: Mm-hmm.

12 JUDGE PEARSON: -- while we address the other
13 safety violations that led to the unsatisfactory safety
14 rating as opposed to just addressing mitigation on the
15 written record.

16 So I will consolidate Dockets TE-160910 and
17 TE-160824. So when I call on the parties to testify, I'll
18 have you stand up and raise your right hand and --

19 MS. GREEN: Okay.

20 JUDGE PEARSON: -- I'll swear you in with the
21 oath of witness, which means that everything that you say
22 will be considered sworn testimony under oath.

23 MS. GREEN: And the truth.

24 JUDGE PEARSON: Yes, of course.

25 So for the court reporter's benefit, please

1 speak slowly and clearly and make --

2 MS. GREEN: Okay.

3 JUDGE PEARSON: -- sure to use the microphone
4 in front of you.

5 MS. GREEN: Oh, okay.

6 JUDGE PEARSON: And when you push the button,
7 a red light will come on, and that indicates that the
8 microphone is on.

9 MS. GREEN: Do I want to push it now?

10 JUDGE PEARSON: Go ahead. Why don't you go
11 ahead and try it? And if you could pull it closer to
12 you --

13 MS. GREEN: Oh, okay. I thought it was
14 nailed to the table. Okay.

15 JUDGE PEARSON: No. Is it --

16 MS. GREEN: Okay.

17 JUDGE PEARSON: -- turned on? Is the red
18 light on?

19 MS. GREEN: Yes, it is. Red --

20 JUDGE PEARSON: Okay.

21 MS. GREEN: -- light's on. That means on?

22 JUDGE PEARSON: Yes.

23 MS. GREEN: Okay.

24 JUDGE PEARSON: Okay. Perfect.

25 So once you're sworn in, you can present

1 testimony and call Mr. Edwards if you want to. You didn't
2 file any exhibits in advance, so I assume you don't have
3 any.

4 MS. GREEN: I submitted three copies.

5 JUDGE PEARSON: Was that of your proposed
6 safety management plan?

7 MS. GREEN: Yes.

8 JUDGE PEARSON: Okay.

9 MS. GREEN: Yes.

10 JUDGE PEARSON: So that --

11 MS. GREEN: That's what --

12 JUDGE PEARSON: That's different.

13 MS. GREEN: -- I assumed that -- oh. That's
14 different?

15 JUDGE PEARSON: Yeah. Yeah.

16 MS. GREEN: Okay.

17 JUDGE PEARSON: Staff will -- Staff is
18 responsible for reviewing that and making --

19 MS. GREEN: Oh, I --

20 JUDGE PEARSON: -- a recommendation.

21 MS. GREEN: Okay. I assumed that went to
22 you, but...

23 JUDGE PEARSON: I didn't get a copy. I think
24 one can be made available to me if I need it, but --

25 MS. GREEN: Okay.

1 JUDGE PEARSON: So what I want to do is first
2 have Staff address the proposed safety management plan and
3 the safety rating, and then following Staff's presentation,
4 you can ask questions if you want to of the witnesses. And
5 then after that, I'll have you present testimony related to
6 the violations and the penalty assessment. And since --

7 MS. GREEN: Okay.

8 JUDGE PEARSON: -- you already have admitted
9 to the violations, we'll just be discussing factors that
10 could go to mitigation.

11 MS. GREEN: Okay.

12 JUDGE PEARSON: And once you're done
13 testifying, Staff's attorney may have some questions for
14 you, and then I'll ask Staff to make a final recommendation
15 on the penalty at that time.

16 Sound good to everyone?

17 MR. ROBERSON: It does.

18 JUDGE PEARSON: Okay. Do you have any
19 questions before we get started?

20 MS. GREEN: No. I'll ask as I go.

21 JUDGE PEARSON: Okay. That sounds good.

22 MS. GREEN: We'll be on the ask-as-you-go
23 plan.

24 JUDGE PEARSON: So let's first take a brief
25 appearance from Commission Staff. Mr. Roberson?

1 MR. ROBERSON: Good morning -- or good
2 afternoon, Your Honor. I'm Jeff Roberson. It's
3 R-O-B-E-R-S-O-N. I'm an assistant attorney general
4 representing Commission Staff.

5 My address is 1400 South Evergreen Park Drive
6 Southwest, P.O. Box 40128, Olympia, Washington, 98504. My
7 phone number is (360)664-1188, and my e-mail is
8 jroberso@utc.wa.gov.

9 JUDGE PEARSON: Great. Thank you.

10 And, Ms. Green, if you could state your full
11 name and spell your last name for the record and then give
12 us your address, phone number, and e-mail address, and let
13 me know what your position is with the Company as well.

14 MS. GREEN: My full name is Pamela Anne
15 Green, G-R-E-E-N. My address is 4752 Delridge Way
16 Southwest, Seattle, 98106. My e-mail address is
17 pamsatwork@gmail.com, which is P-A-M-S-A-T-W-O-R-K at
18 gmail.com. And what was the last one?

19 JUDGE PEARSON: Phone number.

20 MS. GREEN: (425)890-2066.

21 JUDGE PEARSON: And what's your position with
22 the Company?

23 MS. GREEN: Member.

24 JUDGE PEARSON: Member?

25 MS. GREEN: Yeah.

1 JUDGE PEARSON: Okay.

2 MS. GREEN: It's just him and I, so.

3 JUDGE PEARSON: Okay. So you two are the
4 owners of --

5 MS. GREEN: Correct. Mm-hmm.

6 JUDGE PEARSON: -- the entity? Okay.

7 Okay. Great. So, Mr. Roberson, you can go
8 ahead and proceed with the issue of the Company's proposed
9 safety management plan when you're ready.

10 MR. ROBERSON: Staff would like to call Dave
11 Pratt, please.

12 JUDGE PEARSON: Okay. Mr. Pratt, if you
13 could please stand and raise your right hand.

14
15 DAVID PRATT, witness herein, having been
16 first duly sworn on oath,
17 was examined and testified
18 as follows:

19
20 JUDGE PEARSON: Okay. You may be seated.

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

22 BY MR. ROBERSON:

23 **Q. Could you state your name and spell it for the**
24 **record, please?**

25 A. Sure. My name is David Pratt, P-R-A-T-T.

EXAMINATION BY ROBERSON / PRATT

11

1 Q. And what is your occupation?

2 A. I am the assistant director for transportation
3 safety.

4 Q. And how long have you held that position?

5 A. 11 years.

6 Q. Are you generally familiar with state and federal
7 regulations governing motor carrier operations?

8 A. Yes, I am.

9 Q. Okay. Turning to the matter at hand, are you
10 familiar with the compliance investigation of AAA Party
11 Bus?

12 A. Yes. I reviewed that investigation when
13 Mr. Gilbert submitted it and approved his report, and I'm
14 very familiar with it.

15 Q. Are you aware of the proposed safety rating
16 resulting from that compliance investigation?

17 A. Yes.

18 Q. And what was that safety rating -- proposed safety
19 rating?

20 A. Unsatisfactory safety rating based on the -- the
21 type of violations that were discovered.

22 Q. And does or did AAA Party Bus have an opportunity
23 to elevate its safety rating? Increase it?

24 A. Yes. I -- I believe at the closing conference
25 that was conducted by Mr. Gilbert that he explained to them

EXAMINATION BY ROBERSON / PRATT

12

1 the process, that they had 45 days to submit a safety
2 management plan that addressed the violations, how they
3 occurred, how they were going to be prevented from
4 occurring again in the future, and how the Company was
5 going to be in compliance.

6 And the Company did submit that to Mr. Gilbert. I
7 believe they exchanged a couple of drafts to get that into
8 the condition that we believe was acceptable, and then
9 Mr. Gilbert reviewed it as part of his duties and then
10 provided it to me with his recommendations.

11 **Q. And did you also review the safety management**
12 **plan?**

13 A. Yes.

14 **Q. And did you find that it addressed the violations**
15 **found in the compliance review?**

16 A. Yes, we did. We believe that it addressed each of
17 the violations appropriately about how they were allowed to
18 occur and then put together a plan for how they would be
19 prevented from reoccurring again in the future. And based
20 on that, I thought it was acceptable and would accept it
21 for recommending to the Commission that we upgrade the
22 safety rating to conditional.

23 MS. GREEN: I'm just anxious to give my side
24 of it, but I'll wait.

25 JUDGE PEARSON: Yes. You do need to wait.

EXAMINATION BY ROBERSON / PRATT

13

1 MS. GREEN: Okay.

2 BY MR. ROBERSON:

3 Q. So your recommendation to the Commission, then, is
4 that it do what with the safety rating of AAA Party Bus?

5 A. Yes, that we upgrade it from the -- the procedure
6 is you upgrade it from unsatisfactory to conditional, and
7 it -- it is required to stay in that status for a minimum
8 of two years per -- per law.

9 MR. ROBERSON: Thank you very much.

10 JUDGE PEARSON: Okay. Can you tell me the
11 CFR that talks about the two-year -- why it has to be
12 conditional for two years? Do you have that citation?

13 MR. PRATT: Yes. Under the -- you know, we
14 adopt the federal --

15 JUDGE PEARSON: Right.

16 MR. PRATT: -- code of federal regulations
17 under Title 49, and as part of that, the criteria for
18 evaluating safety ratings has a two-year window. We
19 generally, unless there's real -- unique circumstances, do
20 not upgrade a safety rating until at least a minimum of two
21 years has gone by.

22 JUDGE PEARSON: Okay. But do you have a
23 citation for that? Which CFR it is?

24 MR. PRATT: No, I don't.

25 JUDGE PEARSON: Okay.

1 MR. PRATT: It's just -- it's really -- CFR,
2 we've adopted that as policy.

3 JUDGE PEARSON: Okay.

4 MR. ROBERSON: If you would like, we could --
5 we could research that and make a filing.

6 JUDGE PEARSON: That would be great.

7 MR. PRATT: But I could give you general;
8 it'd be under Part 385.

9 JUDGE PEARSON: Okay. I can find it, then.

10 MR. PRATT: I just don't know the sub-step.

11 JUDGE PEARSON: Okay. I can definitely find
12 that. Okay.

13 Did you have any questions for Mr. Pratt?

14 MS. GREEN: No.

15 JUDGE PEARSON: Okay. And do you have any
16 further witnesses at this time?

17 MR. ROBERSON: That'll do it for us.

18 JUDGE PEARSON: Okay. So now, Ms. Green, it
19 is your turn, and if you could please stand and raise your
20 right hand, I will swear you in.

21

22 PAMELA A. GREEN, witness herein, having been
23 first duly sworn on oath,
24 was examined and testified
25 as follows:

DIRECT TESTIMONY / GREEN AND EDWARDS

15

1 JUDGE PEARSON: Okay. Great.

2 So do you want to just briefly give an
3 opening statement, and then maybe we can walk through each
4 of the violations in the penalty assessment and talk about
5 what the Company's doing to address those, and --

6 MS. GREEN: Yes.

7 JUDGE PEARSON: Okay.

8 MS. GREEN: The reason -- and as I had stated
9 in my initial request to have our status changed, is the
10 reason for the violations is, when he initially went to
11 have the buses inspected and had the meeting and got the
12 book and what, I was not there.

13 JUDGE PEARSON: You're talking about
14 Mr. Edwards?

15 MS. GREEN: Yes.

16 JUDGE PEARSON: Okay.

17 MS. GREEN: And so I recall him bringing home
18 this book -- this was multiple years ago -- and saying,
19 "Okay. So the regulations are in here."

20 And I vaguely recall looking through it and
21 going, "Oh, okay. This is for 16-wheel -- the big
22 vehicles." And so I, not having gone into great length,
23 just -- and my focus, I was mainly concerned about the IRS
24 and making sure that our books were accurate and there
25 was -- and the state for the -- for the funds to show that

DIRECT TESTIMONY / GREEN AND EDWARDS

16

1 our money was accurately deposited and all of that.

2 And so, basically, I just did not realize
3 that, with just he and I, this -- that some of the
4 regulations actually complied to the smaller vehicles, and
5 it -- it wasn't anything intentional. It was just an
6 oversight on my part. Nothing -- nothing more than that,
7 other than I did not take the -- honestly didn't take the
8 time to read this page by page.

9 And I think if I had been at the meeting, the
10 initial meeting, I would have known the appropriate
11 questions to ask, but I just didn't recognize that the
12 nec- -- the necessity of that. I would have -- I certainly
13 would have been there, so that's the gist of it.

14 JUDGE PEARSON: Okay. So if -- why don't we
15 just go through --

16 MS. GREEN: Mm-hmm.

17 JUDGE PEARSON: -- each one, if you want to
18 explain it and then talk about what the Company has done?
19 Since I haven't seen the proposed safety management plan,
20 if you could just tell me what the --

21 MS. GREEN: Oh, okay.

22 JUDGE PEARSON: -- Company has done to --

23 MS. GREEN: Okay.

24 JUDGE PEARSON: -- address the --

25 MS. GREEN: Sure.

DIRECT TESTIMONY / GREEN AND EDWARDS

17

1 JUDGE PEARSON: -- violation.

2 So the first is 49 CFR Part 390.35, "Making
3 or causing to make fraudulent or intentionally false entry
4 on a required medical examiner's certificate," and this
5 relates to Mr. Edwards' medical exam was not conducted at
6 the facility listed on the certificate.

7 MS. GREEN: Go ahead.

8 JUDGE PEARSON: If he wants to testify, I'll
9 need to swear him in.

10 MS. GREEN: Okay. Do you --

11 JUDGE PEARSON: So could you stand and raise
12 your right hand?

13
14 TRAVIS EDWARDS, witness herein, having been
15 first duly sworn on oath,
16 was examined and testified
17 as follows:

18
19 JUDGE PEARSON: Okay. Is your microphone on?

20 MR. EDWARDS: Yes, it is.

21 JUDGE PEARSON: Okay. So if you could state
22 your whole name for the record and spell your last name for
23 the court reporter.

24 MR. EDWARDS: My name's Travis Edwards, and
25 last name, E-D-W-A-R-D-S. My add- -- address is --

DIRECT TESTIMONY / GREEN AND EDWARDS

18

1 JUDGE PEARSON: I don't need all that.

2 MR. EDWARDS: Okay.

3 JUDGE PEARSON: That's okay. You can go
4 ahead and -- and speak to that violation.

5 MR. EDWARDS: So I had -- I had wanted to
6 make a large poster-type -- something we could put at our
7 place for anybody who was going to work for us, they could
8 look at it and see, and I was going to have different
9 examples of the documents needed, and so that -- that card
10 wasn't meant actually to -- for you guys to see.

11 It was meant for -- because I was making a
12 poster, and I had e-mailed it to her so she could see it,
13 but -- and it was going to be blown up and put with, like,
14 the driver's license, social security card, and medical
15 card just as examples of what we needed. It wasn't meant
16 for the public to see, and it was -- it wasn't meant to be
17 given to Wayne.

18 JUDGE PEARSON: Okay. So did you have a
19 valid medical certificate at the time?

20 MR. EDWARDS: I -- no. No.

21 JUDGE PEARSON: Okay. So what --

22 MR. EDWARDS: I have what --

23 JUDGE PEARSON: -- you had was a mock-up?

24 MR. EDWARDS: I have a current one with me.

25 Excuse me?

DIRECT TESTIMONY / GREEN AND EDWARDS

19

1 JUDGE PEARSON: Okay. But what you had was a
2 mock-up? Is that what you're saying, that it was --

3 MR. EDWARDS: Yes.

4 JUDGE PEARSON: -- like, a fake one that you
5 made for the purpose of having an example?

6 MR. EDWARDS: Yes.

7 JUDGE PEARSON: Okay.

8 MR. EDWARDS: It wasn't meant to -- it was
9 blown up and larger, and it was going to end up being about
10 the size of a sheet of paper, and it was meant for -- you
11 know, for examples of the documents needed to drive with
12 us.

13 JUDGE PEARSON: Okay. And how did it get
14 into Staff's hands?

15 MR. EDWARDS: I had e-mailed it to her, and
16 she didn't know...

17 MS. GREEN: I just printed it and put it in a
18 file and forgot about it.

19 JUDGE PEARSON: Okay. So you thought it was
20 real, Ms. Green?

21 MS. GREEN: I just -- I didn't think anything
22 of it one way or another.

23 JUDGE PEARSON: Okay.

24 MS. GREEN: I just assumed he wanted me to
25 have it. I threw it in the file.

DIRECT TESTIMONY / GREEN AND EDWARDS

20

1 JUDGE PEARSON: Okay. Okay.

2 MR. EDWARDS: I mean, it was -- it's larger.

3 It's not -- it wouldn't fit in a wallet, and -- yeah.

4 Just...

5 JUDGE PEARSON: Okay.

6 MR. EDWARDS: That's what it was for.

7 JUDGE PEARSON: Okay. And the second
8 violation is 16 occurrences of using a driver not medically
9 examined and certified in the past 24 months; that's 49 CFR
10 Part 391.45(b)(1). It says the Company "used two drivers
11 who were not medically examined and certified" --

12 Mr. Edwards, that was you and another
13 employee, last name Valde? Is that how you pronounce that?

14 MR. EDWARDS: Valdez.

15 JUDGE PEARSON: Valdez. Okay. So there's a
16 Z missing off of that -- "for 16 trips on 12 days."

17 MR. EDWARDS: I -- I had seen his paperwork.
18 I didn't -- we -- we're taking steps to photocopy
19 everything from here on out. I just didn't have copies of
20 his -- any of -- of his paperwork documents.

21 JUDGE PEARSON: Okay. So what is the Company
22 doing to address that --

23 MR. EDWARDS: Photocopying --

24 JUDGE PEARSON: -- issue?

25 MR. EDWARDS: -- and saving everything.

DIRECT TESTIMONY / GREEN AND EDWARDS

21

1 MS. GREEN: I have set up a whole
2 step-by-step form that has to be checked off for everything
3 that's required and that needs to go in the file that was
4 submitted with the compliance report that we submitted.

5 JUDGE PEARSON: Okay. Okay. And so the next
6 one -- the pages are stuck together. Okay. 49 CFR
7 Part 391.51(a), "Failing to maintain a driver qualification
8 file on each driver employed." I assume this is the same
9 situation?

10 MS. GREEN: Yeah. You can -- that, you
11 can -- I -- what I had done is, I was certain that I let
12 the department of employment know that a new employee had
13 started, and then we also used an accounting firm for their
14 hours, and I simply thought that that was sufficient.

15 JUDGE PEARSON: Okay. And so -- and I assume
16 it's the same thing with 49 CFR Part 395.8(a), "Failing to
17 require a driver to make a record of duty status," and 49
18 CFR Part 396.1, "Failing to require drivers to prepare
19 driver vehicle inspection reports"? It was just that --

20 MS. GREEN: Correct.

21 JUDGE PEARSON: -- you were unaware of the
22 requirements, but you have now created --

23 MS. GREEN: Yes.

24 JUDGE PEARSON: -- this checklist that will
25 make sure --

T TESTIMONY / GREEN AND EDWARDS

22

1 MS. GREEN: Yes, I do.

2 JUDGE PEARSON: Okay.

3 MS. GREEN: I -- I will also say that -- and

4 I understand ignorance is probably not an answer -- I

5 didn't realize that, as an owner, he has the same

6 requirements as a driver.

7 So 95 percent of the rides, Travis is the

8 driver. I just didn't realize that that -- there -- there

9 was the same expectation of him, including -- including

10 having an employee application. I just assumed, because he

11 was the owner, it wasn't required.

12 JUDGE PEARSON: Okay. Okay. Is there

13 anything else that you want to add to that?

14 MS. GREEN: (Shakes head.)

15 JUDGE PEARSON: Okay.

16 MS. GREEN: Was -- what -- what a learning

17 curve.

18 JUDGE PEARSON: Mr. Roberson, do you have any

19 questions for either of them?

20 MR. ROBERSON: Just a couple quick questions.

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

22 MR. ROBERSON: AAA Party Bus had a compliance

23 review in 2011; right?

24 MS. GREEN: Hmm-mm.

25 MR. ROBERSON: The -- the failure to maintain

EXAMINATION BY ROBERSON / GREEN AND EDWARDS

23

1 driver qualification files was not a repeat violation from
2 the 2011 --

3 MS. GREEN: No. We've never --

4 MR. ROBERSON: -- compliance review?

5 MS. GREEN: -- had -- this is the first time
6 we've ever heard from anybody here that I'm aware of.

7 Are you aware of?

8 MR. EDWARDS: I had -- I had met with Tom
9 when he inspected the vehicles.

10 MR. ROBERSON: In 2011?

11 MS. GREEN: If they were inspected --

12 COURT REPORTER: I'm sorry. I do need
13 everyone to speak one at a time and into the microphone.
14 Thank you.

15 MR. ROBERSON: So it's your testimony that
16 you didn't have a compliance review in 2011?

17 MR. EDWARDS: No. We --

18 MS. GREEN: When the -- go ahead.

19 JUDGE PEARSON: Can you direct your question
20 at an individual?

21 MR. ROBERSON: I guess, Mr. Edwards.

22 MR. EDWARDS: I had -- in 2011, I had met
23 with Tom Brad- -- Brady, I believe was his name?

24 MR. PRATT: McVaugh.

25 MR. EDWARDS: McVaugh. That's it. And he

EXAMINATION BY ROBERSON / GREEN AND EDWARDS

24

1 had -- I believe it was, we had built another bus at that
2 time, and I called him and I told him we had another
3 vehicle, and he was going to come inspect it.

4 And he -- I don't believe he -- it wasn't as
5 thorough as what he had done, the inspection that Wayne had
6 done. It -- and so you -- I don't know. But I believe we
7 didn't have the same violation.

8 MR. ROBERSON: Okay.

9 JUDGE PEARSON: Anything further?

10 MR. ROBERSON: Not on direct.

11 JUDGE PEARSON: Okay.

12 MR. EDWARDS: In 2011, I believe we had just
13 had the date on the fire extinguisher wasn't current. I
14 believe that was the only violation.

15 JUDGE PEARSON: Okay. So if that's all for
16 the Company, then if Staff wants to make a recommendation
17 with respect to the penalty?

18 MR. ROBERSON: Would you mind if I had a
19 quick moment to confer with my client?

20 JUDGE PEARSON: Not at all. Go ahead.

21 MR. ROBERSON: Thank you, Your Honor.

22 Commission Staff recommends suspending 1300
23 of the penalty conditional upon the outcome of the -- the
24 safety compliance review that they're requesting you
25 condition the upgrade of the safety rating on, assuming

1 that there are no repeat violations.

2 JUDGE PEARSON: When will that --

3 MR. ROBERSON: One year.

4 JUDGE PEARSON: In one year? Okay.

5 MR. ROBERSON: They're asking you to

6 condition it on another compliance review in one year.

7 JUDGE PEARSON: Okay. All right.

8 Is there anything further?

9 MS. GREEN: I would just say that, having now
10 read this book cover to cover, I actually did not find the
11 expectations to be egregious at all. I mean, they're --
12 they're doable.

13 So it just was a matter of me setting up some
14 files, which I did do some extensive -- and Mr. Gilbert can
15 attest to, I did set up some extensive forms and whatnot to
16 make sure we're in compliance, so I don't think that it's
17 going to be something that is burdensome.

18 I mean, it's a little bit more work, but it's
19 nothing that is unreasonable, I don't think. That's my
20 opinion.

21 JUDGE PEARSON: Okay. Thank you.

22 MS. GREEN: Mm-hmm.

23 JUDGE PEARSON: Anything further from Staff?

24 MR. ROBERSON: No, Your Honor.

25 JUDGE PEARSON: Okay. Well, I guess I didn't

1 say this earlier, but I will issue an order within ten days
2 reflecting the Company's upgraded safety rating to
3 conditional. That's not something I need to take under
4 advisement or make a decision on. I can tell you right now
5 that I'm going --

6 MS. GREEN: That's --

7 JUDGE PEARSON: -- to adopt Staff's
8 recommendation and upgrade your safety rating. And then I
9 will also in that order make a decision with respect to the
10 penalty assessment.

11 MS. GREEN: Okay. Thank you.

12 JUDGE PEARSON: Okay. Thank you very much.

13 We are adjourned.

14 (Proceedings concluded at 1:54 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON

COUNTY OF KING

I, Ryan Ziegler, a Certified Shorthand Reporter in
and for the State of Washington, do hereby certify that the
foregoing transcript of the proceedings held August 24,
2016, 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 August 26, 2016.

RYAN ZIEGLER, RPR, CCR