

Docket No. TV-220731 - Vol. I

In the Matter of: Harrington Moving & Landscaping

February 22, 2023



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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining) DOCKET TV-220731
the Proper Carrier Classification)
of, and Complaint for Penalties)
against:)

)
)
JOSHUA CALEB HARRINGTON,)
D/B/A HARRINGTON MOVING &)
LANDSCAPING)
)

VIRTUAL BRIEF ADJUDICATIVE PROCEEDING, VOL I
Pages 1-8
ADMINISTRATIVE LAW JUDGE SAMANTHA DOYLE

February 22, 2023
9:45 a.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 APPEARANCES
2 ADMINISTRATIVE LAW JUDGE:
3 SAMANTHA DOYLE
4
5

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1 LACEY, WASHINGTON; FEBRUARY 22, 2023
2 9:45 A.M.

3 --o0o--

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

6 JUDGE DOYLE: Let's be on the record. Good
7 morning. My name is Samantha Doyle. I'm an
8 administrative law judge with the Washington Utilities
9 and Transportation Commission. I use she/her or
10 they/them pronouns.

11 Today is Wednesday, February 22nd, 2023, and
12 the time is approximately 9:45 a.m.

13 This is Docket TV-220731. The company has
14 failed to appear today, so we can proceed with a motion
15 for default for Joshua Caleb Harrington, doing business
16 as Harrington Moving & Landscaping.

17 I have had a chance to review Staff's
18 evidence. There was an offer that -- there was an offer
19 to provide household goods moving services in Washington
20 and that there was advertising that meets the definition
21 of RCW 81.80.075(4), engaging in business as a household
22 goods moving company without the permit required to
23 conduct such operations.

24 What is Staff's motion for the company?

25 MS. PRABAKARAN: Hi. I'm Sharmila

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1 Prabakaran, and I'm a compliance investigator.

2 In regards to Harrington Moving &
3 Landscaping, on March 2020, investigation staff received
4 an email tip regarding Harrington Moving &
5 Landscaping --

6 JUDGE DOYLE: Sorry, I'm going to pause you
7 right there. I think that -- so I'm going to swear you
8 in still to give your investigation report. I
9 apologize. I wasn't clear.

10 Since you don't have counsel, if you --
11 Staff wanted to present their evidence and move for a
12 default, I would -- you would just have to clarify that
13 you're going to move for default and then we can walk
14 through the evidence in just a moment.


15 So if you wanted to clarify yes, that Staff
16 would like to move for default.

17 MS. PRABAKARAN: Yes, Judge. Staff would
18 like to move for default. Thank you.

19 JUDGE DOYLE: Just got to walk through all
20 these things here.

21 Okay. And then would nothing, then, be
22 suspended? This default order would, then, find the
23 company in default for failing to appear today and
24 impose the full \$10,000 penalty for the alleged -- the
25 two alleged violations; is that correct?

1 (Pages 1 to 4)

<p style="text-align: right;">Page 5</p> <p>1 MS. PRABAKARAN: Yes, Judge. It's correct. 2 The company -- Staff tried to reach out to the company 3 on two occasions and tried to discuss the settlement 4 agreement discussion with them after the classification 5 hearing, and the company did not respond. So Staff 6 recommends to the judge that today a \$10,000 penalty, 7 which will include \$5,000 for advertising and \$5,000 8 offering a move. Thank you, Judge. 9 JUDGE DOYLE: And then I think you were just 10 speaking to that. How was service accomplished, then? 11 You said you reached out? 12 MS. PRABAKARAN: So we tried to call the 13 company, which was the number listed in the 14 advertisements, and the other one was sent through an 15 email stating we would like to have settlement 16 discussions after the classification hearing to the 17 company's email I.D. It was listed in the advertisement 18 as well. 19 JUDGE DOYLE: Great. Thank you. 20 And then has this company ever applied for a 21 permit with the Commission? 22 MS. PRABAKARAN: No, Judge. No. 23 JUDGE DOYLE: Okay. Great. 24 Well, let's swear you in and then continue 25 to walk through the evidence. Thank you so much.</p>	<p style="text-align: right;">Page 7</p> <p>1 MS. PRABAKARAN: I don't think so, no, 2 Judge. 3 JUDGE DOYLE: Okay. I will grant the motion 4 for default and issue an order reflecting the decision. 5 And I believe with that, we are adjourned. Thank you so 6 much. 7 (Adjourned at 9:51 a.m.) 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 6</p> <p>1 (Sharmila Prabakaran sworn.) 2 JUDGE DOYLE: Let's walk through the 3 evidence that you have. 4 MS. PRABAKARAN: So the company tried to 5 reach on -- let me -- so the company tried to -- we 6 tried to reach the company through the email, and on 7 July 21st, 2022, we also sent a compliance letter to the 8 company that they must cease and desist operating as a 9 household goods carrier without a valid permit. 10 And the Staff did not hear anything from the 11 company. So the Staff called the company for the phone 12 listed in the company's ad and asked if the company 13 could perform a move from Olympia to Clarkston, 14 Washington, and the company stated that they could 15 perform the move. 16 In addition to that, I continued to check 17 that the company continued to advertise for moving 18 services, and they were still advertising. 19 JUDGE DOYLE: Okay. Great. 20 And is this all of the evidence that you 21 have for the -- their advertisement? 22 MS. PRABAKARAN: Yes, Judge. 23 JUDGE DOYLE: Okay. Okay. Great. 24 And is there any other business that we need 25 the take care of today?</p>	<p style="text-align: right;">Page 8</p> <p>1 CERTIFICATE 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 correct to the best of my knowledge, skill and ability. 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <div style="text-align: right;">  <u>Tayler Garlinghouse</u> Tayler Garlinghouse, CCR 3358 </div>

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