

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Application of

MAN AND A VAN, INC.

For a permit to operate as a motor carrier of household goods.

DOCKET TV-170284

MOTION FOR CONTINUANCE

I. MOTION FOR CONTINUANCE

1 Commission Staff of the Washington Utilities and Transportation Commission (Commission) submits this Motion for Continuance pursuant to WAC 480-07-385. Staff moves to reschedule the brief adjudicative proceeding in Docket TV-170284, currently scheduled to take place on August 2, 2017, because of scheduling conflicts for the relevant Staff witness. Staff has reached out to Man and a Van, Inc. (Company) for mutually agreeable rescheduling dates, but the Company’s representatives have not yet responded.

II. APPLICABLE STANDARD

2 Under WAC 480-07-385, a continuance is any postponement of a deadline or an extension of time to comply with such a deadline. Any party may request a continuance by oral or written motion. The commission will grant a continuance if the moving party demonstrates good cause for the continuance and the continuance will not prejudice any party or the commission. A party must file and serve any written motion for continuance at least five business days prior to the deadline the party wishes to continue.

III. STAFF’S REQUEST SHOWS GOOD CAUSE AND AVOIDS PREJUDICING THE APPLICANT

3 The relevant Staff witness in this matter, Mr. Michael Dotson, is unavoidably unavailable on August 2, 2017, due to longstanding personal obligations that cannot be changed. Mr. Dotson is the sole staff member with detailed personal knowledge of the

matters before the Commission in Docket TV-170284. Staff is thus unable to competently participate in the proposed August 2, 2017, hearing.

4 Without Staff present at the hearing, the applicant Company and its representative would not be able to conduct cross examination regarding Staff's recommendation, and the Commission would not have a complete or accurate record on which to make a determination. Staff's motion therefore demonstrates good cause and avoids prejudicing the applicant in this matter. Allowing Staff to adequately participate in the brief adjudicative hearing also serves the public interest because Staff is tasked with protecting the public interest in the review of licensing applications.¹

II. RELIEF REQUESTED

5 Commission Staff requests that the Commission grant Staff's motion for a continuance and reschedule the brief adjudicative proceeding in Docket TV-170284 for either August 8, 2017, or August 9, 2017. Staff is also available August 3, 2017, but prefers either August 8, 2017, or August 9, 2017.

III. CONCLUSION

6 Staff's motion demonstrates good cause for a continuance and that such a continuance is in the public interest. Staff requests the Commission grant Staff's motion and reschedule the brief adjudicative hearing in Docket TV-170284.

DATED this 14th day of July 2017.

Respectfully submitted,

/s/ Jeff Roberson, WSBA No. 45550
Assistant Attorney General
Office of the Attorney General
Utilities and Transportation Division
P.O. Box 40128, Olympia, WA 98504-0128
(360) 664-1188
jroberson@utc.wa.gov

¹ See WAC 480-15-302.