

Docket No. TV-191046 - Vol. I

WUTC v. A-1 Piano Sales & Rentals, Inc., et al.

February 27, 2020



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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND)DOCKET TV-191046
TRANSPORTATION COMMISSION,)

)
Complainant,)

vs.)

)
A-1 PIANO SALES AND RENTALS, INC.;)
ALASKA COAST TRANSPORT, INC.;)
AMERICAN MOVING CO., INC.; ARAYS)
MOVING SERVICE LLC; BACKBREAKERS)
NW, LLC; CALLBOX STORAGE LLC;)
FIVE STARS DELIVERY LLC; FRIENDS)
& FAMILY MOVING AND STORAGE LLC;)
JFS TRANSPORT, INC.; JOHN VOLKEN)
ACADEMY; JOHNSON'S MOVING LLC;)
ALBERTO MORENO MENDOZA;)*Caption Continued*

HEARING, VOLUME 1

Pages 1-15

ADMINISTRATIVE LAW JUDGES SAMANTHA DOYLE
AND RAYNE PEARSON

February 27, 2020

1:30 p.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 JASON M. NELSON; PACIFIC KING)
RELOCATION & LOGISTICS SYSTEMS)
2 LLC; PNW MOVING AND DELIVERY)
LLC; PROPERTY PROS EXTERIOR)
3 SOLUTIONS LLC; REDEFYNE MOVING)
LLC; STANLEY G. ALEXANDER, INC.;)
4 and WE LIKE TO MOVE IT, MOVE)
IT!! LLC,)
5)
Respondents.)

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A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGES:

SAMANTHA DOYLE
RAYNE PEARSON

FOR COMMISSION STAFF:

JEFF ROBERSON
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ALSO PRESENT:

RACHEL STARK
Staff Witness

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| (No exhibits admitted.) | |

1 LACEY, WASHINGTON; FEBRUARY 27, 2020

2 1:30 P.M.

3 --o0o--

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

5
6 JUDGE DOYLE: All right. Good afternoon.

7 Let's be on the record in Docket TV-191046.

8 It's 1:30 p.m. on February 27th, 2020, which
9 is the time set for hearing the Commission's complaint
10 against 19 household goods carriers seeking to cancel
11 their permits for failure to file their annual reports
12 and pay their regulatory fees.

13 My name is Samantha Doyle. I'm the
14 administrative law judge presiding over this proceeding.
15 Seated to my left is Administrative Law Judge Rayne
16 Pearson who is co-presiding with me today.

17 Let's start by taking an appearance with
18 Commission Staff.

19 MR. ROBERSON: Good afternoon, Judge Doyle.
20 My name is Jeff Roberson, R-o-b-e-r-so-n. I'm an
21 assistant attorney general who represents Commission
22 Staff, and seated with me at counsel table is Ms. Rachel
23 Stark who is Staff's witness in this case.

24 JUDGE DOYLE: Staff has provided a list of
25 seven companies that have come into compliance since the

1 complaints were served. As such, Staff will move to
2 dismiss the complaints against the following companies:

3 Alaska Coast Transport, Incorporated;
4 American Moving Company, Incorporated; Backbreakers NW,
5 LLL; Callbox Storage, LLC; Five Stars Delivery LLC; PNW
6 Moving & Delivery LLC; Stanley G. Alexander,
7 Incorporated; and was there any updates to this list,
8 Mr. Roberson?

9 MR. ROBERSON: Just one, which is that
10 Friends and Family Moving and Storage, Incorporated has
11 filed its annual report, they previously paid their
12 regulatory fees, which means technically they're in
13 compliance, although they have not paid their late fee
14 or the interest associated with that. They have
15 requested that they be allowed to do that tomorrow, and
16 Staff is not opposed to that request.

17 JUDGE DOYLE: Okay. We can grant them the
18 close of business tomorrow, that would be
19 February 28th, 2020, to -- to pay that interest and late
20 fees.

21 We have also been -- oh, and thank you, and
22 I'll grant the motion to dismiss those seven company --
23 or seven companies named with the addition of the
24 Friends and Family Moving and Storage subject to hearing
25 from Ms. Stark that they paid their interest and late

1 fees.

2 There have also been a number of companies
3 whose permits were cancelled in the other dockets for
4 unrelated reasons prior to today's hearing. Those
5 companies are A-1 Piano Sales and Rentals, Incorporated;
6 Arays Moving Service, LLC; Jason M. Nelson; Pacific King
7 Relocation and Logistics Systems LLC.

8 Now, I'll also go through the list -- the
9 rest of the companies named in the complaint to see if
10 any of them are here or appearing on the bridge line
11 today. Because there is a court reporter creating a
12 record of today's proceeding, please give a verbal
13 response to the roll call like "here" or "present" in
14 addition to raising your hand when I call your company's
15 name.

16 Let's start with JFS Transport,
17 Incorporated?

18 John Volken Academy?

19 Johnson's Moving LLC?

20 Al- -- Alberto Moreno Mendoza?

21 Property Pros Exterior Solutions LLC?

22 Redefyne Moving LLC?

23 We Like to Move It, Move It!! LLC?

24 All right. Hearing nothing, we can proceed.

25 Mr. Roberson, would you go ahead when you're

1 ready?

2 MR. ROBERSON: Certainly, Your Honor. I
3 guess at this point, Staff would move to hold all of the
4 companies that you just named in default under RCW
5 34.05.448 and WAC 480-07-450 for failure to appear at
6 the time and place set for hearing. Under both the APA
7 and the Commission's rule, the Commission can dispose of
8 the substantive issues without the benefit of a hearing
9 for those parties.

10 Ms. Stark is here to provide an evidentiary
11 basis on which the Commission can issue a dispositive
12 order. And so Staff would call Ms. Stark assuming you
13 grant that motion, I guess.

14 JUDGE DOYLE: Yes, we will go ahead and hold
15 the -- the following companies will be held in default:
16 JFS Transport, Incorporated; John Volken Academy;
17 Johnson's Moving LLC; Alberto Moreno Mendoza; Property
18 Pros Exterior Solutions LLC; Redefyne Moving LLC; We
19 Like to Move It, Move It!! LLC. Those companies have
20 not come into compliance and have also not made an
21 appearance today, so they will be held in default.

22 The motion is granted and I'll now swear in
23 Ms. Stark so that you can testify.

24 (Rachel Stark sworn.)

25 JUDGE DOYLE: Thank you.

EXAMINATION OF STARK / ROBERSON

1 Go ahead, Mr. Roberson.

EXAMINATION

2
3
4 BY MR. ROBERSON:

5 **Q. Good afternoon. Could you state your name and**
6 **spell it for the record?**

7 A. Rachel Stark, R-a-c-h-e-l, Stark, S-t-a-r-k.

8 **Q. And who is your employer?**

9 A. Washington Utilities and Transportation
10 Commission.

11 **Q. In what capacity does the Commission employ you?**

12 A. I'm a regulatory analyst tasked to ensure
13 company compliance with the annual reporting and paying
14 the regulatory fees.

15 **Q. And have you received any training to allow you**
16 **to carry out your duties as a regulatory analyst?**

17 A. Yes.

18 **Q. Okay. Are you familiar with the statutes and**
19 **rules governing the filing of annual reports and the**
20 **paying of regulatory fees?**

21 A. Yes.

22 **Q. And do statutes and rules require companies to**
23 **file an annual report?**

24 A. Yes.

25 **Q. And do statutes and rules require companies to**

EXAMINATION OF STARK / ROBERSON

1 **pay regulatory fees?**

2 A. Yes.

3 **Q. Could you explain the process for a company**
4 **filing its annual report?**

5 A. Okay. So in March of every year, the Commission
6 will notify each regulated company that the annual
7 report is ready for download on the Commission's
8 website, and it's the company's responsibility to ensure
9 that we have accurate and current contact information.
10 The companies then download the information, and by May
11 1st of each year, the company's required to file a
12 complete and accurate annual report and pay regulatory
13 fees. And then we analyze the report to make sure
14 they -- they are complete, and we contact the company
15 to -- for any abnormalities.

16 **Q. Okay. And what is the process for paying**
17 **regulatory fees?**

18 A. I work with financial services office, and we --
19 if a company pays the regulatory fees online, that
20 payment goes directly to financial services. And we
21 work in concert to make sure that the company is
22 provided the credit to their account to make sure that
23 they pay the correct amount and if they've paid late,
24 then ensuring that they've paid any late fees or
25 interest.

EXAMINATION OF STARK / ROBERSON

1 **Q. Fair enough.**

2 **Does the Commission maintain a searchable**
3 **database that allows you to determine whether or not a**
4 **company has paid regulatory fees and filed its annual**
5 **report?**

6 A. Yes.

7 **Q. And how does that process work?**

8 A. We maintain a list what's -- it's on our program
9 called the Annual Reporting Tracking System or ARTS for
10 short, and so each company's record is entered into ARTS
11 so that we can keep a record of when they filed, all the
12 company information is in there, how much regulatory
13 fees are due, and anytime there's contact with the
14 company via phone, we document that information. If
15 we've sent them letters, we also document that in ARTS
16 so that there's a complete record of the process for
17 them.

18 **Q. And have you gone through that process with each**
19 **of the companies listed in the complaint?**

20 A. Yes.

21 **Q. And do you know when the last time you looked**
22 **for each of these companies in terms of whether or not**
23 **they filed or paid?**

24 A. Yes. Actually, three days ago.

25 **Q. Okay. Did John Volken Academy file an annual**

EXAMINATION OF STARK / ROBERSON

1 **report or pay its regulatory fees last year?**

2 A. No.

3 **Q. Did Johnson's Moving LLC file an annual report**
4 **or pay regulatory fees last year?**

5 A. No.

6 **Q. Did Alberto Moreno Mendoza file an annual report**
7 **or pay regulatory fees last year?**

8 A. No.

9 **Q. Did Property Pros Exterior Solutions file an**
10 **annual report or pay regulatory fees last year?**

11 A. No.

12 **Q. Did Redefyne Moving LLC file an annual report or**
13 **pay regulatory fees last year?**

14 A. No.

15 **Q. Did We Like to Move It, Move It!! file an annual**
16 **report or pay regulatory fees last year?**

17 A. No.

18 MR. ROBERSON: Staff is pretty much done,
19 Your Honor.

20 JUDGE DOYLE: And just for the -- my
21 clarification, did JFS Transport, Incorporated pay their
22 regulatory fees last year?

23 MR. ROBERSON: Oh.

24 MS. STARK: No, they did not.

25 JUDGE DOYLE: Thank you.

1 Okay. And then, Mr. Roberson, would you
2 like to make a closing statement or summarize
3 Ms. Stark's statements?

4 MR. ROBERSON: Sure. I believe it's under
5 WAC 480-15-451 and WAC 480-15-302(1), the Commission is
6 authorized to cancel the household goods carrier permits
7 of companies that fail to file annual reports or pay
8 their regulatory fees. The remaining companies listed,
9 which would be as you just noted, JSF Moving, John
10 Volken Academy, Johnson's Moving LLC, Alberto Moreno
11 Mendoza, Property Pros Exterior Solutions LLC, Redefyne
12 Moving LLC, and We Like to Move It, Move It!! all failed
13 to file their annual reports and pay regulatory fees.
14 Staff requests that the Commission cancel their
15 household goods carrier permits.

16 JUDGE DOYLE: I will issue an initial order
17 in this docket reflecting that the seven companies
18 previously named were held in default today for failing
19 to appear. The record supports not only holding these
20 companies in default, but also canceling their household
21 goods permits.

22 The seven companies having come into
23 compliance will have the complaints against them
24 dismissed, and I will include Friends and Family Moving
25 subject to their payment of fees and interest by

1 tomorrow close of business.

2 Anything else?

3 MR. ROBERSON: Not from Staff.

4 JUDGE DOYLE: Okay. Thank you. We're
5 adjourned.

6 (Adjourned at 1:41 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON

COUNTY OF THURSTON

I, Tayler Garlinghouse, a Certified Shorthand
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.

Tayler Garlinghouse, CCR 3358