

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper
Carrier Classification of, and Complaint
for Penalties Against:

Prieto Landscaping, LLC

DOCKET TG-240933

ORDER 02

PREHEARING CONFERENCE
ORDER AND NOTICE OF VIRTUAL
EVIDENTIARY HEARING
(Set for June 25, 2025,
at 9:00 a.m.)

BACKGROUND

- 1 **NATURE OF PROCEEDING.** On March 28, 2025, the Washington Utilities and Transportation Commission (Commission) issued Order 01, Order Instituting Special Proceeding; Complaint Seeking to Impose Penalties; Notice of Prehearing Conference (Order 01), seeking penalties from Prieto Landscaping, LLC (Prieto or Company), and setting a pre-hearing conference.
- 2 Prieto is a Washington limited liability company, UBI 604-342-711, conducting business in the state of Washington as a common carrier under Commission-issued permit CC071070. The Washington Secretary of State's records for limited liability corporations lists Rosalio Prieto as the Company's registered agent and governing person.
- 3 **CONFERENCE.** The Commission convened a virtual prehearing conference on May 9, 2025, before Administrative Law Judges Bijan Hughes. An interpreter was present at the beginning of the conference but was excused as unneeded.

4 **APPEARANCES.** Josephine Strauss, Assistant Attorney General, represented Staff.¹
Rosalio Prieto appeared on behalf of the Company.

5 **PETITIONS FOR INTERVENTION.** No petitions to intervene have been filed in this
matter and there were no oral petitions to intervene presented at the Pre-Hearing
Conference.

6 **PROTECTIVE ORDER.** A protective order will not be issued in this Docket.

7 **DISCOVERY.** In order to facilitate an efficient resolution to this matter, discovery will
be immediately available to the parties and shall be conducted under the Commission's
discovery rules, WAC 480-07-400 – 425. The Commission urges the parties to work
cooperatively to avoid having to bring discovery matters forward for formal resolution.

8 **PROCEDURAL SCHEDULE.** Staff presented a proposed procedural schedule at the
prehearing conference. The Company did not oppose. The Commission adopts the
procedural schedule attached to this Order as Appendix B. The parties have already held
their first prehearing conference on May 13, 2025. The adopted schedule includes a
second settlement conference for June 16, 2025; the parties may reschedule by notifying
the presiding officer.

9 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and
serve all pleadings, motions, briefs, and other pre-filed materials in compliance with all
of the following requirements:

(a) Parties must submit electronic copies of all documents by 5 p.m. on the filing
deadline established in the procedural schedule (or other deadline as applicable)
unless the Commission orders otherwise. Parties must comply with [WAC 480-07-
140\(6\)](#) in formatting, organizing, and identifying electronic files. Documents that
include information designated as confidential must comply with the requirements
in [WAC 480-07-160](#) and the Protective Order in this docket.

(b) Parties must submit documents electronically through the Commission's web
portal (www.utc.wa.gov/e-filing). If a party is unable to use the web portal to
submit documents for filing, the Commission will accept a submission via email

¹ In formal proceedings such as this, the Commission's regulatory staff participates like any other
party, while the Commissioners make the decision. To assure fairness, the Commissioners, the
presiding administrative law judge, and the Commissioners' policy and accounting advisors do
not discuss the merits of this proceeding with the regulatory staff, or any other party, without
giving notice and opportunity for all parties to participate. See RCW 34.05.455.

to records@utc.wa.gov provided the email: (1) explains the reason the documents are not being submitted via the web portal, and (2) complies with the requirements in [WAC 480-07-140\(5\)\(b\)](#).

If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit.

- (c) The Commission is continuing to suspend requirements for paper filings in this case for all submissions dating after the Company's initial testimony.
- (d) Documents filed with the Commission must conform to the formatting and other requirements in [WAC 480-07-395](#) and [WAC 480-07-460](#).
- (e) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judge (bijan.hughes@utc.wa.gov) by 5 p.m. on the filing deadline unless the Commission orders otherwise. Pursuant to [WAC 480-07-365\(2\)\(c\)](#), all electronic documents submitted to the Commission must also be delivered to all parties and the presiding administrative law judge "at the same time" that the documents are submitted to the Commission or shortly thereafter. Please note that failing to provide a courtesy copy to the presiding administrative law judge may result in a delayed ruling on a motion or other filing. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive only.

- 10 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on June 17, 2025**. The Commission requires electronic copies in a searchable PDF (Adobe Acrobat or comparable software). If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in a searchable PDF (Adobe Acrobat or comparable software) of each such exhibit. The exhibits must be grouped according to the witness the party intends to cross-examine with the exhibits.
- 11 **EXHIBIT LISTS.** With each submission of pre-filed testimony and exhibits, the party making the submission must include a preliminary exhibit list that identifies each submitted exhibit in the format the Commission uses for exhibit lists it prepares for evidentiary hearings. Each party must file and serve a final list of all exhibits the party intends to introduce into the evidentiary record, including all pre-filed testimony and exhibits, as well as cross-examination exhibits by **5 p.m., June 17, 2025**.
- 12 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of

the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judge (bijan.hughes@utc.wa.gov) and the other party by email on **June 17, 2025, by 5:00 p.m.**

- 13 **NOTICE OF EVIDENTIARY HEARING.** The Commission will hold a virtual evidentiary hearing in this docket on **June 25, 2025, at 9:00 am.** Parties may attend the hearing in person at the Commission's headquarters or virtually via Zoom. To attend the hearing via Zoom, [click here to join meeting](#), or call (253) 215-8782 and enter the **Conference ID: 858 5526 9264# and use the Passcode: 756319 #.**
- 14 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Connor Thompson, Interim Director, Administrative Law Division (360) 791-4228.
- 15 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to [WAC 480-07-430](#) and [WAC 480-07-810](#). The service date appears on the first page of this Order, in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this docket, subject to Commission review.**

DATED at Lacey, Washington, and effective May 14, 2025

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Bijan Hughes
BIJAN HUGHES
Administrative Law Judge

APPENDIX A
PARTIES' REPRESENTATIVES
DOCKET TG-240933

PARTY	REPRESENTATIVE	PHONE	E-MAIL
Utilities and Transportation Commission Staff	Josephine Strauss Office of the Attorney General Utilities and Transportation Division P.O. Box 40128 Olympia, WA 98504-0128	360-709-4850	Josephine.Strauss@atg.wa.gov
Prieto Landscaping	Rosalio Prieto 3526 E A St Pasco, WA 98301-5252	509-521-7868 509-545-1324	lio@prietolandscaping.com

**APPENDIX B
PROCEDURAL SCHEDULE
DOCKET TG-240933**

EVENT	DATE
Prehearing Conference	April 23, 2025
First Settlement Conference (parties only)	May 13, 2025
Discovery Deadline – Last Day to Issue DR	June 5, 2025
Second Settlement Conference (parties only)	June 16, 2025
Exhibit Lists, Cross Exhibits, Witness Lists, Time Estimates, Exhibit Errata	June 17, 2025
Evidentiary Hearing	June 25, 2025