



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

October 5, 2018

**NOTICE OF OPPORTUNITY FOR HEARING**

And

**NOTICE CONCERNING DATE FOR ENTRY OF INITIAL ORDER**

RE: *Washington Utilities and Transportation Commission v. All Star Transfer, Laron Williams Inc., D/B/A Allstar Moving & Storage, Allstar Movers, and Careful Movers*

Docket TV-180236

TO ALL PARTIES:

On August 22, 2018, the Washington Utilities and Transportation Commission (Commission) issued a Complaint for Penalties and Notice of Brief Adjudicative Proceeding against All Star Transfer, Laron Williams Inc., D/B/A Allstar Moving & Storage, Allstar Movers, and Careful Movers (All Star Transfer or Company). The Commission scheduled a brief adjudicative proceeding for September 25, 2018, and served the Complaint on all parties electronically.

On September 25, 2018, the Commission convened the brief adjudicative proceeding before Administrative Law Judge Laura Chartoff. Commission staff (Staff) was the only party that appeared at the hearing. Staff moved for default pursuant to RCW 34.05.440(2) and WAC 480-07-450. Staff also requested that it be allowed to present a prima facie case. The Administrative Law Judge orally granted Staff's request to enter a default order and allowed Staff to present its prima facie case.

On October 2, 2018, All Star Transfer sent emails to Staff's counsel stating that its owner, Laron Williams, had been out of state for a family memorial since September 15, 2018. The emails further state that All Star Transfer will not accept electronic service of Commission documents. Finally, All Star Transfer states that it is unable to print or receive most attachments, so it requires paper service of documents.

Commission rule, WAC 480-07-150, provides that the Commission will serve documents to regulated companies only in electronic format, except to the extent proof of receipt is required. The exception does not apply here. Commission rules do not allow companies to refuse email service or demand service by mail.

In addition, when a party is not available on the date scheduled for hearing, the Commission will, upon request and for good cause shown, reschedule the hearing date. Requests to reschedule a hearing date should be made in advance and as soon as a conflict is known.

Nonetheless, we conclude there is good cause to vacate the order of default and provide All Star Transfer an opportunity to respond to the Complaint at a brief adjudicative proceeding. All Star Transfer may work with Staff to find a mutually agreeable hearing date. **The Company must contact Staff and establish a date for hearing by October 25, 2018.** Staff will coordinate with Administrative Law Division's administrative staff to identify available dates to schedule a brief adjudicative proceeding.

The record in this case will include the testimony and evidence received at the September 25, 2018, hearing, in addition to any evidence and testimony received at the hearing to be scheduled. A transcript of the September 25, 2018, hearing will be available on the Commission's website.

**THE COMMISSION GIVES NOTICE That All Star Transfer is granted until October 25, 2018, to work with Staff to find a mutually agreeable hearing date. If All Star Transfer does not work with Staff in good faith to identify an agreed hearing date by October 25, 2018, the Commission will proceed to issue a decision on the record.**

#### **NOTICE CONCERNING DATE FOR ENTRY OF INITIAL ORDER**

The Commission conducted a Brief Adjudicative Proceeding (BAP) in this docket on September 25, 2018. WAC 480-07-610(6) provides that: "[t]he presiding officer will enter an initial order that addresses the issues raised by the application within ten days after the date of the brief adjudication." Because we find good cause to grant All Star Transfer the opportunity for another hearing, there is also good cause to extend the time limit for entry of an Initial Order either to ten business days after the second hearing, or, in the event the Company fails to respond to this Notice, after October 25.

**THE COMMISSION GIVES NOTICE that it will modify the time limits for entry of an Initial Order as discussed in the preceding paragraph.**

LAURA CHARTOFF  
Administrative Law Judge

cc: All Parties