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BEFORE THE WASHINGTON

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UTILITIES AND TRANSPORTATION COMMISSION

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4 In the Matter of Determining)DOCKET TV-190835
 the Proper Carrier Classification)
 5 of, and Complaint for Penalties)
 Against:)
 6)
)
 7 Super Friends Moving L.L.C.)
 D/B/A Super Friends Moving)
 8)
)

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PREHEARING CONFERENCE, VOLUME I

11

Pages 1-9

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ADMINISTRATIVE LAW JUDGE MICHAEL HOWARD

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March 16, 2020

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9:46 a.m.

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Washington Utilities and Transportation Commission
 621 Woodland Square Loop Southeast
 Lacey, Washington 98503

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ADMINISTRATIVE LAW JUDGE:

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MICHAEL HOWARD

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Regulatory Analyst

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1 LACEY, WASHINGTON; MARCH 16, 2020

2 9:46 A.M.

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

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6 JUDGE HOWARD: Let's be on the record. The
7 time is 9:46 a.m. My name is Michael Howard, and I'm an
8 administrative law judge with the Washington Utilities
9 and Transportation Commission.

10 We're here today for a prehearing conference
11 in Docket TV-190835, which is captioned In the Matter of
12 Determining the Proper Carrier Classification of, and
13 Complaint for Penalties Against Super Friends Moving
14 LLC, doing business as Super Friends Moving.

15 So we began this -- let's -- let's begin by
16 taking appearances from those who are here today. Can
17 we have an appearance from Staff?

18 MR. ROBERSON: Good morning, Judge Howard.
19 My name is Jeff Roberson. I'm an assistant attorney
20 general representing Staff.

21 JUDGE HOWARD: Thank you.

22 And could we have appearance for Public
23 Counsel?

24 MS. GAFKEN: Yes, good morning. This is
25 Lisa Gafken, Assistant Attorney General, appearing on

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1 behalf of Public Counsel. And also on the line is
2 Stephanie Chase, a regulatory analyst with Public
3 Counsel.

4 JUDGE HOWARD: Thank you.

5 So just to note here, we did start this --
6 attempt to start this prehearing conference at 9:30, and
7 we waited 15 minutes for Super Friends Moving to call in
8 or to appear here in person at Commission headquarters,
9 and they do not appear to be calling in or coming in in
10 person to attend this conference.

11 Mr. Roberson, I was -- I was curious, did
12 you know if the company had consented to this prehearing
13 conference date?

14 MR. ROBERSON: They have been in
15 communication with me about other matters. They haven't
16 said anything about this particular conference, neither
17 to ask to move it or to accept it so...

18 JUDGE HOWARD: Okay. Thank you. Well,
19 Mr. Roberson, given the circumstances here, what -- what
20 is Staff's recommendation or what would you -- what
21 would you like to request?

22 MR. ROBERSON: I think you've asked -- the
23 notice commanded Super Friends to appear at this time
24 and place for hearing. Under RCW 34.05.440 and WAC
25 480-07-450, the Commission can find them in default.

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1 Mr. Braun's declaration is in the record. The
2 Commission can certainly use that to dispose of the
3 issues from this proceeding. But given kind of what's
4 going on in society, Staff is not opposed to actually
5 just setting a hearing date and hoping that maybe this
6 nonappearance is due to the Coronavirus and that they'll
7 appear at the hearing.

8 JUDGE HOWARD: If you're inclined to set a
9 hearing date, then perhaps what we should do is Staff
10 and Public Counsel can -- can briefly confer on what
11 dates might work for them. I'm -- and at the same time,
12 setting at least a time to attempt a settlement
13 conference with the company and then a deadline for --
14 for filing the prefiled exhibits. So if -- perhaps if
15 Staff and Public Counsel could briefly confer on that, I
16 will leave the room here.

17 And, Mr. Roberson, if you could Skype me
18 when the parties have finished that conversation, I
19 would appreciate that.

20 MR. ROBERSON: Absolutely.

21 JUDGE HOWARD: Thank you.

22 And just -- just to note, I -- I anticipate
23 it's -- we probably will not need prefiled testimony in
24 this case, so that would just be something to consider
25 as well.

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1 All right. We will go off the record. We
2 will resume hearing shortly. Thank you.

3 (A break was taken from
4 9:50 a.m. to 9:57 a.m.)

5 JUDGE HOWARD: So -- so we'll be on the
6 record. I understand that the parties have agreed to a
7 procedural schedule. As I understand, Super Friends
8 Moving is still not on the conference line.

9 Mr. Roberson, would you mind reading that
10 procedural schedule into the record?

11 MR. ROBERSON: Certainly, there are just two
12 dates. One is a settlement conference, which would be
13 held Monday, April 20th at 9:00 a.m.

14 JUDGE HOWARD: Okay.

15 MR. ROBERSON: And then the other date would
16 be the hearing date, and that kind of depends on your
17 availability. We've selected the week of May 11th. Any
18 of the -- Tuesday, Wednesday, or Friday work for Staff
19 and Public Counsel if they work for you.

20 JUDGE HOWARD: Okay. Thank you. I will --
21 the -- we probably would have no concerns with the
22 proposed settlement conference date and for the hearing
23 date. I would have to just look at our calendaring
24 system to make sure that works, but I anticipate one of
25 those dates will work. And in the prehearing conference

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1 order, I'll include some deadlines before the hearing
2 for the filing of exhibits and things of that nature.

3 Would the parties anticipate making oral
4 closing arguments at the hearing?

5 MR. ROBERSON: Staff would.

6 MS. GAFKEN: That seems like Public Counsel
7 as well.

8 JUDGE HOWARD: Great.

9 Well, then I'll just briefly touch on the
10 electronic filing and electronic service issues. We do
11 have the electronic filing through the Commission's web
12 page. There will be requirements for submitting
13 exhibits in the prehearing conference order. There will
14 be details in the order on this topic. And our rules,
15 of course, provide for electronic service of documents.

16 If you have any updates to the master
17 service list, please file a written notice of appearance
18 or email me at Michael.Howard@utc.wa.gov.

19 Is there anything else we would like -- the
20 parties would like to address today?

21 MR. ROBERSON: Not from Staff.

22 MS. GAFKEN: Nothing from Public Counsel.

23 JUDGE HOWARD: Okay. I will issue an order
24 shortly containing the procedural schedule and other
25 guidelines for the disposition of this case. We are

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1 adjourned. Thank you.

2 (Adjourned at 10:01 a.m.)

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3 STATE OF WASHINGTON

4 COUNTY OF THURSTON

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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 accurate to the best of my knowledge, skill and ability.

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Tayler Garlinghouse, CCR 3358

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