

Docket No. TV-190835 - Vol. I

In the Matter of: Super Friends Moving LLC  
d/b/a Super Friends Moving

March 16, 2020



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A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGE:

MICHAEL HOWARD

FOR COMMISSION STAFF:

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ALSO PRESENT:

STEPHANIE CHASE (via bridge)  
Regulatory Analyst

\* \* \* \* \*

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

5  
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

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.

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.

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

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



1 adjourned. Thank you.

2 (Adjourned at 10:01 a.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.

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Tayler Garlinghouse, CCR 3358