

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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1 BEFORE THE WASHINGTON
 2 UTILITIES AND TRANSPORTATION COMMISSION
 3 _____
 4 In the Matter of Determining)DOCKET TV-190835
 5 the Proper Carrier Classification }
 6 of, and Complaint for Penalties }
 7 Against:)
 8 Super Friends Moving L.L.C.)
 9 D/B/A Super Friends Moving)
 10 _____
 11 PREHEARING CONFERENCE, VOLUME I
 12 Pages 1-9
 13 ADMINISTRATIVE LAW JUDGE MICHAEL HOWARD
 14 _____
 15 March 16, 2020
 16 9:46 a.m.
 17 Washington Utilities and Transportation Commission
 18 621 Woodland Square Loop Southeast
 19 Lacey, Washington 98503
 20 REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358
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1 APPEARANCES
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 4
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 18 ALSO PRESENT:
 19 STEPHANIE CHASE (via bridge)
 20 Regulatory Analyst
 21 * * * * *
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 23
 24
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1 LACEY, WASHINGTON; MARCH 16, 2020
 2 9:46 A.M.
 3 --oOo--
 4 PROCEEDINGS
 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

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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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1 C E R T I F I C A T E
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3 STATE OF WASHINGTON
4 COUNTY OF THURSTON
5
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.
10
11
12 _____
13 Tayler Garlinghouse, CCR 3358
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