# Docket No. TV-180236 - Vol. I

# Washington Utilities and Transportation Commission v. All Star Transfer, etc.

September 25, 2018



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8	ALL STAR TRANSFER, LARON ) WILLIAMS INC., D/B/A )	8	
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15	ADMINISTRATIVE LAW JUDGE LAURA CHARTOFF	15	
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17	September 25, 2018	17	
18	1:30 p.m.	18	
19	Washington Utilities and Transportation Commission 1300 South Evergreen Park Drive Southwest	19	
20	Olympia, Washington 98504	20	
21	REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358	21	
22	Buell Realtime Reporting, LLC 1325 Fourth Avenue, Suite 1840	22	
23	Seattle, Washington 98101 (206) 287-9066   Seattle (360) 534-9066   Olympia	23	
24	(800) 846-6989	24	
25	www.buellrealtime.com	25	
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			OLIVARIA WASHINGTON SERTEMBER SE 2010
1	APPEARANCES	1	OLYMPIA, WASHINGTON; SEPTEMBER 25, 2018
2	ADMINISTRATIVE LAW JUDGE:	2	1:30 P.M. 00o
3	LAURA CHARTOFF Utilities and Transportation	3	PROCEEDINGS
4	Commission  Commission  1200 South Evergroop Bark Drive SW	4	PROCEEDINGS
6	Commission 1300 South Evergreen Park Drive SW Olympia, Washington 98504	5	JUDGE CHARTOFF: Let's be on the record.
7		7	Good afternoon. This is Docket TV-180236, captioned
8	FOR COMMISSION STAFF:	8	Washington Utilities and Transportation Commission
9	JENNIFER CAMERON-RULKOWSKI Office of the Attorney General Assistant Attorney General P.O. Box 40128 1400 South Eyergreen Park Drive SW Olympia, Washington 98504	9	versus All Star Transfer, Laron Williams Inc., doing
10	Assistant Attorney General P.O. Box 40128	10	business as All Star Moving & Storage, All Star Movers,
11	1400 South Evergreen Park Drive SW Olympia, Washington 98504	11	and Careful Movers.
12	(360) 664-1186 jcameron@utc.wa.gov	12	This is a complaint for penalties for
13	,	13	violations of State laws and Commission rules governing
14	ALSO PRESENT:	14	household goods carriers.
15	JASON HOXIT	15	My name is Laura Chartoff. I am the
16	* * * *	16	administrative law judge presiding over today's brief
17		17	adjudicative proceeding that the Commission gave notice
18		18	of in its complaint.
19		19	Today is Tuesday, September 25th, 2018, and
20		20	the time is approximately 1:30 p.m.
21		21	Let's start by taking appearances, starting
22		22	with Commission Staff.
23		23	MS. CAMERON-RULKOWSKI: Appearing on behalf
24		24	of Commission Staff, Jennifer Cameron-Rulkowski,
			Assistant Attorney General. And I have a notice of

	Sket NO. 1 V-100230 - VOI. I		9/25/2010
	Page 5		Page 7 EXAMINATION OF HOXIT / CAMERON-RULKOWSKI
1	appearance on file in the docket.	1	recipient's designated email address. A copy of the
2	JUDGE CHARTOFF: Thank you.	2	Commission's proof of service is on file in this docket.
3	Okay. And for the Company? Is anyone here	3	And I do have a few questions for Mr. Hoxit,
4	representing All Star Transfer, Laron Williams Inc.?	4	the Staff witness, once he's sworn in regarding contact
5	Okay. Hearing nothing, what I'd like to do	5	with the Company. And at this time, Staff requests
6	is take a ten-minute recess to see if he appears,	6	under the Administrative Procedure Act and the
7	because there's a concern that the traffic may be backed	7	Commission's procedural rules, that the Commission
8	up due to the power outage. Is that	8	proceed with the hearing and dispose of the substantive
9	MS. CAMERON-RULKOWSKI: Understood, Your	9	issues in the proceeding.
10	Honor.	10	JUDGE CHARTOFF: Thank you. Yes, I will
11	JUDGE CHARTOFF: Okay. So we'll take a	11	grant an order of default and issue an order so stating,
12	recess. I'll come back at 1:45, and we'll go from	12	and we can proceed with the hearing.
13	there.	13	MS. CAMERON-RULKOWSKI: Thank you, Your
14	MS. CAMERON-RULKOWSKI: We'll be ready, Your	14	Honor. At this time, I would call Jason Hoxit.
15	Honor.	15	Tionor. 7k and anie, i would can caceri float.
16	JUDGE CHARTOFF: Okay. We are off the	16	JASON HOXIT, witness herein, having been
17	record.	17	first duly sworn on oath,
18	(Recess from 1:33 p.m. until 1:46 p.m.)	18	was examined and testified
19	JUDGE CHARTOFF: Let's go back on the	19	as follows:
20	record. It is 1:46. I'll ask again, is All Star	20	do follows.
21	Transfer, Laron Williams Inc. present?	21	EXAMINATION
22	Okay. Hearing nothing, would you like to	22	BY MS. CAMERON-RULKOWSKI:
23	make a motion?	23	Q. Good afternoon, Mr. Hoxit.
24	MS. CAMERON-RULKOWSKI: Yes, I would, Your	24	A. Good afternoon.
25	Honor. I had a few preliminary matters if you would	25	Q. Please state and spell your last name.
23	Tionor. That a few prominiary matters in you would	23	Q. I leade date and open your last name.
	Dogo 6		Dogo 9
	Page 6		Page 8 EXAMINATION OF HOXIT / CAMERON-RULKOWSKI
1	Page 6 entertain them at this time.	1	_
1 2		1 2	EXAMINATION OF HOXIT / CAMERON-RULKOWSKI
	entertain them at this time.		EXAMINATION OF HOXIT / CAMERON-RULKOWSKI  A. Last name is Hoxit, it's H-o-x-i-t.
2	entertain them at this time.  JUDGE CHARTOFF: Okay.	2	A. Last name is Hoxit, it's H-o-x-i-t.  Q. And please state the name of your employer.
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#### **EXAMINATION OF HOXIT / CAMERON-RULKOWSKI**

- 1 Williams Inc.?
- 2 A. Yes, I am.
- 3 Q. How did you become familiar with All Star
- 4 Transfer?
- 5 A. Order 01 in Docket TV-143648 ordered Staff to
- 6 conduct a follow-up compliance review of the Company,
- 7 and I was assigned to that matter.
- 8 Q. To your knowledge, has anyone at the Commission
- 9 been contacted by the Company since the complaint was
- 10 filed?
- 11 A. No
- 12 Q. Have you contacted the Company since the
- 13 complaint was filed?
- 14 A. Yes, I've attempted to.
- 15 Q. And when was that?
- 16 A. During the first recess, so 1:40 p.m.
- 17 Q. All right. And how did you attempt to contact
- 18 the Company?
- 19 A. By phone.
- 20 Q. And which phone numbers did you use?
- 21 A. I first contacted 206-734-3006, which is the
- 22 phone number on All Star Transfer's website. I was
- 23 unsuccessful, so I then attempted to call 425-745-7559,
- 24 which is the phone number associated with Careful
- 25 Movers. And, again, no response.

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### **EXAMINATION OF HOXIT / CAMERON-RULKOWSKI**

- Q. When you said that the number was associated
- 2 with Careful Movers, was it also -- is that a number
- 3 that's on the Careful Movers website?
- 4 A. Yes, it is.
- 5 Q. And when you say there was -- you said that you
- 6 were unsuccessful when you contacted the number on All
- 7 Star Transfer's website, what does that mean?
- $8\,$   $\,$  A. It means nobody answered and it went to a
- 9 voicemail service.
- 10 Q. And when you called the Careful Movers number,
- 11 what exactly happened?
- 12 A. Same, went to a voicemail recording, no answer.
- 13 Q. Thank you.
- You testified that you were assigned to follow
- 15 up on an investigation from a prior docket, did you
- 16 conduct an investigation of All Star Transfer's business
- 17 practices?
- 18 A. Yes.
- 19 Q. Did you prepare a report documenting your
- 20 investigation?
- 21 **A. Yes, I did.**
- 22 Q. Please turn to Exhibit JH-1. Is this a true and
- 23 accurate copy of the investigation report you prepared
- 24 concerning All Star Transfer?
- 25 A. Yes, it is.

# EXAMINATION OF HOXIT / CAMERON-RULKOWSKI

- Q. Does All Star Transfer operate under any trade
- 2 names?
- 3 A. Yes, they do.
- Q. All right. And what are those trade names?
- 5 A. They are All Star Transfer, All Star Moving &
- Storage, All Star Movers, and Careful Movers.
- Q. All right. To your knowledge, has All Star
- 8 Transfer received technical assistance in the past?
- 9 A. Yes
- 10 Q. Do you discuss prior technical assistance in
- 11 your investigation report?
- 12 A. Yes, I do.
- 13 Q. Can you point us to the section where you
- 14 discuss that?
- 15 A. Yes, so it would be in the report under
- 16 background. Would be pages 5 through 9, I believe, yes.
- 17 Q. Thank you.
- 18 MS. CAMERON-RULKOWSKI: Your Honor, I offer
- 19 Exhibit JH-1 for admission into evidence
- 20 JUDGE CHARTOFF: Exhibit JH-1 is admitted.
- 21 (Exhibit JH-1 admitted.)
- 22 BY MS. CAMERON-RULKOWSKI:
- 23 Q. All right. Let's talk about the allegations in
- 24 the complaint. We'll start with the first cause of
- 25 action.

1

### Page 12

- During the investigation of All Star Transfer,
- 2 did the Commission send any data requests to the
- 3 Company?
- A. Yes, they did.
- Q. Please turn to Exhibit JH-1, the investigation
- 6 report at Appendix F, page 40. Is this one of those
- 7 data requests?
- 8 A. Yes, it is.
- Q. Who signed the data request?
- 10 A. Steven King.
- 11 Q. And what is his position?
- 12 A. Executive director and secretary.
- 13 Q. To your knowledge, is there any position at the
- 14 Commission other than Commissioner that is over the
- 15 position of executive director and secretary?
- 16 A. No, there is not.
- 17 Q. What is the first thing that the data request
- 18 asks for?
- 19 A. It asks for the last 25 residential moves
- 20 performed within the state of Washington and request the
- 21 bills of lading estimates, supplemental estimates,
- 22 inventory records, weight slips, and all documents
- 23 related to temporary storage of the goods, and also
- 24 requested the Company's customer complaint and claims
- 25 register.

#### Docket No. TV-180236 - Vol. I Page 13 **EXAMINATION OF HOXIT / CAMERON-RULKOWSKI EXAMINATION OF HOXIT / CAMERON-RULKOWSKI** Q. All right. Can I ask you just to go ahead and 1 Company-provided estimate shows a nonbinding estimate read the first two lines of that first request? with an estimated cost of \$975. A. Under 1? Q. Do you know how much the customer ultimately 3 Q. Under 1 up until the comma -- up until the comma paid? after "move." A. Yes. 5 5 A. Okay. This states, (as read) For the last 25 6 Q. Turn to page 48, please, also in Appendix I. Is residential moves performed within the state of the amount written on the check there of \$1,140, is that Washington, please provide all original supporting the amount that the customer paid? documents related to each customer's move including, but A. Yes, it is. 9 not limited to, the bill of lading, estimate, Q. Do you know if All Star Transfer provided the 10 supplemental estimate, inventory records, weight slips, Commission with the original estimate for the Charlie 11 11 and all documents related to temporary storage of the move? 12 13 goods. 13 A. No, I do not. Q. Thank you. Q. Can you please explain why you do not know? 14 14 15 Did All Star Transfer respond? A. Yes. After receiving the Company-provided 15 estimate and the customer-provided estimate, it 16 A. Yes, they did. Q. Did All Star Transfer provide any moving indicates that the customer-provided estimate is, in 18 documents to the Commission? fact, the original estimate. And the reason for this is A. Yes, they did. the customer-provided estimate is the estimate that 19 Q. Please turn to the investigation report at aligns with the amount the customer paid for the move. 20 2.0 21 Appendix H on page 44. Is this estimate a copy of one Q. So am I understanding you that you -- that you 21 22 of the moving documents that Staff received from All 22 are assuming that the customer -- that the estimate that 23 Star Transfer? you received from the customer was the original estimate?

A. Yes, it is. Q. And what is the customer name on this estimate? 25

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25

### EXAMINATION OF HOXIT / CAMERON-RULKOWSKI

- A. Charlie.
- Q. What is the price listed on the estimate? 2
- A. \$975.
- Q. During the investigation of All Star Transfer,
- did Staff contact any of the Company's customers?
- A. Yes, it did.
- Q. Did Staff contact the customer associated with
- this estimate? 8
- A. Yes, it did.
- Q. Did Staff receive any move documents from the
- 11 customer associated with the Charlie move?
- 12 A. Yes.
- 13 O Did Staff receive an estimate associated with
- 14 the Charlie move from the customer?
- 15 A. Yes.
- Q. Please turn to Appendix I at page 46 in the
- 17 investigation report. Is this a copy of the estimate
- 18 that Staff received from the customer?
- 19 A Yes it is
- Q. Does the estimate received from the customer
- 21 match the estimate received from All Star Transfer?
- 22 A. No, it does not.
- Q. What's the difference? 23
- A. The customer-provided estimate is titled "Flat"
- 25 and has a total price of \$1,140, and the

# Page 16 **EXAMINATION OF HOXIT / CAMERON-RULKOWSKI**

- Q. All right. Let's move on to the second cause of
- action, three-hour minimums.

A. Yes, that is correct.

- 3 Are you familiar with the household goods
- tariff, Tariff 15-C?
- A. Yes, I am.
- Q. What is the tariff?
- A. The tariff is a document established by the
- Commission that sets forth the rates and terms and
- conditions for which household goods carriers must
- 10 comply.
- 11 Q. Do all household goods carriers have to follow
- 12 the tariff?
- 13 A. Yes.
- Q. Is there a Commission rule requiring carriers to 14
- 15 follow the tariff?
- 16 A. Yes, there is.
- 17 Q. Can you tell us what that rule is?
- 18 A. Yes, it's Washington Administrative Code, I'll
- refer to it as WAC, 48015 -- or dash 15-490, Subsection 19
- 20
- 21 Q. Does the tariff provide for a minimum hourly
- 22 charge?
- A. Yes, it does. 23
- Q. And which tariff item provides for a minimum 24
- 25 hourly charge?

#### **EXAMINATION OF HOXIT / CAMERON-RULKOWSKI**

- A. Item 230.
- 2 Q. And what exactly does Item 230 provide regarding
- 3 a minimum hourly charge?
- 4 A. It allows a company to charge a minimum
- 5 hourly -- minimum of one hour Monday through Friday
- 6 between the hours of 8 a.m. and 5 p.m. and excludes
- 7 State-recognized holidays.
- 8 Q. All right. I'll refer to that generally as
- 9 regular working hours. Was this move conducted during
- 10 regular working hours?
- 11 A. Yes, it was.
- 12 Q. Even though it is not listed in the tariff, can
- 13 a household goods carrier charge a minimum charge based
- 14 on a number of hours different from the minimum listed
- 15 in the tariff?
- 16 A. No, they may not.
- 17 Q. Please turn to the investigation report,
- 18 Appendix J, page 49. What is the customer name on this
- 19 estimate?
- 20 **A. Paula.**
- 21 Q. And what is the total amount of the estimate?
- 22 A. \$375
- 23 Q. Does this estimate reflect rates that are
- 24 compliant with the tariff?
- 25 A. No.

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### **EXAMINATION OF HOXIT / CAMERON-RULKOWSKI**

- Q. Can you please explain why not?
- ${\tt 2} \quad \mbox{ A. } \mbox{ Yes, the estimate refers to a three-hour }$
- 3 minimum.
- 4 Q. Please turn the page to Appendix K, page 51. Is
- 5 this a bill of lading for the same customer?
- 6 A. Yes, it is.
- 7 Q. What is the total charge on this bill of lading?
- 8 A. \$375.
- 9 Q. Does this bill of lading reflect the customer,
- 10 Paula, paid the charges described on the estimate?
- 11 **A. Yes**.
- 12 Q. Please turn the page to Appendix L, page 52.
- 13 What is the customer name on this estimate?
- 14 A. Sheri.
- 15 Q. What is total amount of the estimate?
- 16 A. \$375.
- 17 Q. Does this estimate reflect rates that are
- 18 compliant with the tariff?
- 19 A. No, it does not.
- 20 Q. And can you please explain why not?
- 21 A. Yes, the estimate refers to a three-hour flat
- 22 **rate.**
- 23 Q. And in your mind, is flat rate the same as a
- 24 minimum?
- 25 A. Yes, it is.

# Page 19 EXAMINATION OF HOXIT / CAMERON-RULKOWSKI

- Q. Please turn the page to Appendix T, page --
- 2 please turn a few pages to Appendix T, page 102. Is
- 3 this the bill of lading for the same customer?
- A. Yes, it is.
- 5 Q. What is the total charge on this bill of lading?
- 6 A. \$375
- Q. Does this bill of lading reflect the customer,
- 8 Sheri, paid the charges described on the estimate?
- 9 A. Yes
- 10 Q. Has the Commission provided technical assistance
- 11 to All Star on the issue of charging an hourly minimum
- 12 in conflict with the tariff?
- 13 A. Yes.
- 14 Q. Please turn to page 8 of the investigation
- 15 report and refer to the very top of the page. Is the
- 16 technical assistance you were referring to located here?
- 17 A. Yes, it is.
- 18 Q. Please turn to page 6 in the investigation
- 19 report. And was the technical assistance that you just
- 20 referred to part of the discussion of the informal
- 21 complaint of November 2012 beginning on page 6?
- 22 A. Yes.
- 23 Q. All right. Let's move on to the third cause of
- 24 action, estimates.
- 25 Does a household goods carrier have to provide

### Page 20

- 1 an estimate to every customer before the move?
- 2 A. Yes.
- Q. Does the estimate need to be in writing?
- A. Yes, it does.
- 5 Q. Is the estimate requirement in a Commission
- 6 rule?
- 7 A. Yes. it is.
- 8 Q. Which rule is that?
- A. It's WAC 480-15-630, I believe.
- 10 Q. That sounds right.
- 11 Does Tariff 15-C contain requirements pertaining
- 12 to estimates?
- 13 A. Yes.
- 14 Q. And what tariff item is that?
- 15 A. Tariff Item 85.
- 16 Q. Let's go through the requirements that are
- 17 relevant here.
- With regard to Item 85(1), and the rule, WAC
- 19 480-15-630, do these provisions require a carrier to
- 20 give each customer a copy of the consumer guide to
- 21 moving in Washington State at the time the carrier gives
- 22 the customer a written estimate?
- 23 **A. Yes.**
- 24 Q. Please refer to the investigation report at
- 25 Appendix N, starting on page 55, and please identify

#### EXAMINATION OF HOXIT / CAMERON-RULKOWSKI

- 1 estimates that do not comply with these provisions.
- 2 A. Yes, so there are six total estimates that are
- 3 in conflict with that. Charlie, on page 73; Paula, page
- 4 75; Sheri, page 77; Judy, page 81; LJ, page 82; and
- 5 Kimberly, page 86.
- 6 Q. Is this a repeat violation?
- 7 A. Yes, it is.
- 8 Q. For this case, what is your understanding of a
- 9 repeat violation?
- 10 A. Repeat violation is a violation the Commission
- 11 has determined in an order or charged in a previous
- 12 penalty assessment.
- 13 Q. With regard to Item 85(2)(d), does the tariff
- 14 require a carrier to provide a space for a customer to
- 15 initial or sign which states that the customer was
- 16 provided a copy of the consumer guide to moving in
- 17 Washington State?
- 18 A. Yes.
- 19 Q. Please refer to the investigation report at
- 20 Appendix N and identify estimates that do not comply
- 21 with this requirement.
- 22 A. Can you repeat that one more time?
- 23 Q. Yes. This is in regard to Item 85(2)(d), and
- 24 I'm asking you to identify estimates that do not comply
- 25 with this requirement, and this may be the same

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### EXAMINATION OF HOXIT / CAMERON-RULKOWSKI

- ${\tt 1}\ \ {\tt estimates}\ {\tt that}\ {\tt --}\ {\tt that}\ {\tt you}\ {\tt identified}\ {\tt for}\ {\tt the}\ {\tt previous}$
- 2 violation.
- 3 A. Yes, yeah, it was the same six estimates.
- 4 Q. Thank you.
- With regard to Item 85(2)(i), does the tariff
- 6 require a carrier to include a customer's name, phone
- 7 number, and address in its estimate?
- 8 A. Yes.
- 9 Q. Please refer to Appendix M and identify
- 10 estimates that do not comply with this requirement.
- 11 A. Can you repeat that one more time?
- 12 Q. Yes, with regard to Item 85(2)(i), does the
- 13 tariff require a carrier to include a customer's name,
- 14 phone number, and address in its estimate?
- 15 **A. Yes.**
- 16 Q. And then I referred you to Appendix N, starting
- 17 on page 55, and I've asked you to please identify
- 18 estimates that do not comply with this tariff item. And
- 19 if we need to come back to that one, we can.
- 20 A. Yes. Yes, I know the number with bills of
- 21 lading, but not estimates.
- 22 Q. Okay. Moving on. With regard to Item 85(2)(p),
- 23 does the tariff require a carrier to include the number
- 24 of carrier personnel and vehicles that will be used, the
- 25 number of hours each will be involved in the move, and

### Page 23

1 the associated rates and charges if the move is local?

EXAMINATION OF HOXIT / CAMERON-RULKOWSKI

- 2 A. Yes.
- 3 Q. Please refer to Appendix N and identify
- 4 estimates that do not comply with this requirement.
- 5 A. Yes, we have Paula on page 75, Sheri on page 77,
- 6 and LJ on page 82.
  - Q. With regard to Item 85(2)(q), does the tariff
- 8 require carriers to include specific information in a
- 9 nonbinding estimate as set forth in the tariff?
- 10 A. Yes.
- 11 Q. Please refer to Appendix N and identify
- 12 estimates that do not comply with this requirement.
- 13 A. Yes, there's three total estimates, Charlie on
- 14 page 72, Judy on page 79, and Kimberly on page 84.
- Q. With regard to Item 85(2)(r), does the tariff
- 16 require a carrier to include the forms of payment that
- 17 the carrier will accept when providing an estimate?
- 18 A. Yes.
- 19 Q. Please refer to Appendix N and identify
- 20 estimates that do not comply with this requirement.
- 21 A. Yes, there is three total, first being Paula on
- 22 page 75, Sheri on page 77, and LJ on page 82.
- 23 Q. Is this a repeat violation?
- 24 A. Yes, this is.
- 25 Q. With regard to Item 85(2)(t) as well as to WAC

### Page 24

- 1 480-15-630, Subsection 8, do these provisions together
- 2 require a carrier to include the signature of both the
- 3 carrier and the customer on the estimate prior to the
- 4 move as well as the dates that each signed?
- 5 **A. Yes.**
- 6 Q. Please refer to Appendix N and identify
- 7 estimates that do not comply with these requirements.
- 8 A. Yes, there are, again, six total estimates,
- 9 Charlie on page 74; Paula on page 75; Sheri, page 77;
- 10 and Judy, page 81; LJ, page 82; and Kimberly, page 86.
- 11 Q. Is this a repeat violation?
- 12 A. Yes, it is.
- 13 Q. Has the Commission provided technical assistance
- 14 to All Star on the form and completion of estimates?
- 15 A. Yes, it has.
- 16 Q. Please refer to pages 6 to 7 in the
- 17 investigation report starting at the section "November
- 18 2012 Consumer Complaint." Do you discuss technical
- 19 assistance on estimates here?
- 20 A. Yes.
- 21 Q. All right. Please turn to page 8 in the
- 22 investigation report starting at the section "November
- 23 2014 Staff Investigation." Do you discuss technical
- 24 assistance on estimates here?
- 25 A. Yes, I do.

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	Page 25	Page 27
	EXAMINATION OF HOXIT / CAMERON-RULKOWSKI	EXAMINATION OF HOXIT / CAMERON-RULKOWSKI
1	Q. Please refer to pages 8 and 9 in the	Q. Please turn to Appendix O on page 87. Is this
2	investigation report starting on page 8 at the section	2 the estimate associated with the bill of lading you just
3	"July 2015 Consumer Complaint." Do you discuss	3 received?
4	technical assistance on estimates here?	4 A. Yes, it is.
5	A. Yes.	5 Q. What is the total listed on the estimate?
6	Q. Now I want to speak specifically about one of	6 A. \$750.
	the elements of an estimate, the inventory, which is in	7 Q. What is 125 percent of \$750?
7	the fourth cause of action.	
8		
9	With regard to tariff Item 85(2)(g), does the	9 Q. So is the price the customer paid, 1,497.75,
10	tariff require a carrier to provide a household goods	10 more than 125 percent of the amount the customer was
11	cube sheet inventory of the items upon which the	11 quoted?
12	estimate is based and the estimated cubic footage for	12 A. Yes.
13	each item?	Q. Given that the charges were more than 125
14	A. Yes.	percent of the amount estimated, should the Company have
15	Q. Please refer to Appendix N starting at page 55.	15 completed a supplemental estimate?
16	Do any of the estimates in Appendix N include a cube	16 <b>A. Yes.</b>
17	sheet inventory?	17 Q. Did All Star complete a supplemental estimate?
18	A. Yes, just one, dated in July of 2016.	18 <b>A. No.</b>
19	Q. Does that mean that all of the remaining	19 Q. How much did the customer overpay?
20	estimates are missing cube sheets?	20 <b>A. \$560.25.</b>
21	A. Yes.	21 Q. Has the Commission provided technical assistance
22	Q. Now I want to discuss a type of estimate, the	22 to All Star on the issue of supplemental estimates?
23	supplemental estimate associated with the seventh cause	23 A. Yes.
24	of action.	24 Q. And is this discussed in your investigation
25	When is a carrier required to prepare a	25 report?
	Page 26	Page 28
	EXAMINATION OF HOXIT / CAMERON-RULKOWSKI	EXAMINATION OF HOXIT / CAMERON-RULKOWSKI
1	supplemental estimate?	1 A. Yes, it is.
2	A. On a nonbinding estimate when the circumstances	2 Q. I'd like to now discuss the fifth cause of
3	surrounding the move change and the cost of the move	3 action.
4	exceeds 125 percent of the original estimate.	4 Does a household goods carrier have to complete
5	Q. Is there a Commission rule that addresses	5 a bill of lading for each move?
6	supplemental estimates?	6 A. Yes.
7	A. Yes, there is.	7 Q. Is there a Commission rule that addresses bill
8	Q. Which rule is that?	8 of lading requirements?
9	A. It's WAC 480-15-660.	9 <b>A. Yes.</b>
10	Q. Does Tariff 15-C contain requirements pertaining	10 Q. Which rule is this?
11	to supplemental estimates?	11 A. It's WAC 480-15-710.
12	A. Yes.	12 Q. Does Tariff 15-C contain requirements pertaining
13	Q. With regard to tariff Item 85(2)(q)(4), does the	13 to bills of lading?
14	tariff prohibit a carrier from requiring a customer to	14 A. Yes.
15	pay more than 125 percent of the estimate regardless of	15 Q. And which tariff item is that?
16	the total cost unless the carrier issues and the	16 A. Item 95.
17	customer accepts a supplemental estimate?	17 Q. Let's go through the requirements that are
18	A. Yes.	18 relevant here.
19	Q. Please turn to Appendix M on page 54. Can you	With regard to Item 95(1), does the tariff
20	please read the name on this bill of lading?	20 require both the carrier and the customer to sign and
21	A. Yes, Afi.	21 date the bill of lading?
22	Q. What is the and can you please spell that?	22 A. Yes.
23	A. It's A-f-i.	23 Q. Please turn to the investigation report at
	Q. What is the total amount charged?	
24	Q. What is the total amount charged!	24 Appendix I starting on page 93. Please identify bills 25 of lading that do not comply with this requirement

25 of lading that do not comply with this requirement.

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25 A. 1,097 -- or sorry, \$1,497.75.

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### **EXAMINATION OF HOXIT / CAMERON-RULKOWSKI**

- A. There are four total bills of lading, Charlie on
- 2 page 100; Paula, page 101; Judy, page 103; and LJ, page
- **3 104.**
- 4 Q. Is this a repeat violation?
- 5 A. Yes, it is.
- Q. With regard to Item 95(1)(b), does the tariff
- 7 require a carrier to include the name and telephone
- 8 number of the customer in the bill of lading?
- 9 A. Yes, it does.
- 10 Q. Please turn to Appendix T and please identify
- 11 bills of lading that do not comply with this
- 12 requirement.
- 13 A. There is just one bill of lading that is
- 14 noncompliant, and that is Charlie on page 100.
- 15 Q. Is this a repeat violation?
- 16 A. Yes, it is.
- 17 Q. With regard to Item 95(1)(d), does the tariff
- 18 require a carrier to include the exact address of the
- 19 origin of the move in the bill of lading?
- 20 A. Yes, it does.
- 21 Q. Please refer to Appendix T and please identify
- 22 bills of lading that do not comply with this
- 23 requirement.
- 24 A. There are two bills of lading. First, Charlie
- 25 on page 100 and Sheri on page 102.

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- A. Yes, it is.
- Q. With regards to Item 95(1)(n), does the tariff

EXAMINATION OF HOXIT / CAMERON-RULKOWSKI

- 3 require a carrier to include the amount and type of
- 4 every charge assessed as a separate line item in the
- 5 bill of lading?
- 6 A. Yes.
- Q. With reference to the same items, does the
- 8 tariff also require a carrier to provide sufficient
- 9 information to determine whether the charged rates
- LO conform to Tariff 15-C or if no tariff charges exist, to
- 11 determine the exact nature, number, and type of charges?
- 12 A. Yes.
- 13 Q. With reference to Appendix T, please identify
- 14 the bills of lading that do not comply with these
- 15 requirements.
- 16 A. Yes, there is one bill of lading that is
- 17 noncompliant. That is Sheri on page 102.
- 18 Q. Has the Commission provided technical assistance
- 19 to All Star on the form and completion of bills of
- 20 lading?
- 21 A. Yes.
- 22 Q. Please refer to page 7 in the investigation
- 23 report at the section "November 2012 Consumer
- 24 Complaint." Do you discuss technical assistance on
- 25 bills of lading here?

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### EXAMINATION OF HOXIT / CAMERON-RULKOWSKI

- Q. With regard to Item 95(1)(k), does the tariff
- 2 require a carrier to include a specifically-worded
- 3 section where a customer must select by signing his or
- 4 her initials the type of loss and damage protection,
- 5 evaluation for the shipment in the bill of lading?

A. Yes.

- 7 Q. Please turn to Appendix T, if you're not already
- 8 there, and please identify bills of lading that do not
- 9 comply with this requirement.
- 10 A. Yes, there are six bills of lading total, first
- 11 being Charlie on page 100; Paula, page 101; Sheri, page
- 12 102; Judy, page 103; LJ, page 104; and Kimberly on page
- 13 **105.**
- 14 Q. With regard to Item 95(1)(m), does the tariff
- 15 require a carrier to include the start, stop, and
- 16 interruption time for each employee involved in a move
- 17 as well -- when the carrier -- as when the carrier was
- 18 released to go to another customer on the bill of
- 19 lading?
- 20 **A. Yes.**
- 21 Q. Referring to Appendix T, please identify bills
- 22 of lading that do not comply with this requirement.
- 23 A. And this answer would be identical to the last,
- 24 all six bills of lading contained these violations.
- Q. Is this a repeat violation?

- 1 A. Yes.
- 2 Q. Please refer to page 9 in the investigation
- 3 report at the section "July 2015 Consumer Complaint."
- 4 Do you discuss technical assistance on bills of lading
- 5 here?
- 6 **A. Yes**.
- 7 Q. All right. We discussed earlier that a carrier
- 8 must follow Tariff 15-C. Let's talk about prohibited
- 9 charges, which are addressed in the sixth cause of
- 10 action.
- For hourly related -- for hourly-rated moves,
- 12 does the tariff set forth the rates a carrier can charge
- 13 to conduct a move?
- 14 A. Yes.
- Q. Are the hourly rates listed in Item 230?
- 16 **A. Yes**
- Q. Does Item 205 also discuss hourly rates?
- 18 A. Yes, it does.
- 19 Q. With regard to Item 205, do the rates include
- 20 use of vehicle, equipment, and labor during the move?
- 21 A. Yes.
- 22 Q. Are rates for packing materials listed in the
- 23 tariff for hourly-rated moves?
- 24 A. Yes.
- 25 Q. Which tariff item are they listed in?

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	Page 33 EXAMINATION OF HOXIT / CAMERON-RULKOWSKI	Page 35 EXAMINATION OF HOXIT / CAMERON-RULKOWSKI
1	A. Item 225.	1 A. This afternoon.
2	Q. Are tape, paper pads, and paper on the packing	2 Q. Has it been claimed by the Company?
3	materials list in the tariff?	3 <b>A. Yes.</b>
4	A. No, they are not.	4 Q. How can you tell?
5	Q. Please turn to Appendix M on page 54.	5 A. It's marked "Claimed" next to the Company name.
6	JUDGE CHARTOFF: What were those three items	6 Q. Are there any problems with the advertising on
7	that you listed in this paper?	7 the Facebook and Yelp pages?
8	MS. CAMERON-RULKOWSKI: I asked Mr. Hoxit	8 A. Yes.
9	whether tape, paper pads, and paper are on the packing	9 Q. Please go ahead and describe the problem.
10	materials list that I had just asked him about.	10 A. They are both missing Commission-issued permit
11	JUDGE CHARTOFF: Thank you.	11 number.
12	BY MS. CAMERON-RULKOWSKI:	12 Q. Now let's talk about the first ad in this
13	Q. What is the name on this bill of lading?	13 appendix, which is for Careful Movers on page 107.
14	A. Afi.	14 Is this an ad on the Company's Careful Movers
15	Q. And does this bill of lading contain charges for	15 website?
	tape, paper pads, and paper?	16 A. Yes, it is.
17	A. Yes, it does.	17 Q. Is it still there?
18	Q. What is the total of these charges?	18 A. Yes, it is.
19	A. It shows sorry. It's \$57.50.	19 Q. When did you last check?
20	Q. Has the Commission provided technical assistance	20 A. This afternoon.
21	to All Star on the issue of charging only those charges	21 Q. Has anything changed?
	that comply with the tariff?	22 A. No, it has not. Or I apologize, on the Careful
23	A. Yes, it does.	23 Movers website, there is a permit number which changed
24	Q. And you discuss this in your investigation	24 from the Staff investigation report.
	report?	25 Q. So at the time that you completed your
	Page 34	, , ,
	EXAMINATION OF HOXIT / CAMERON-RULKOWSKI	EXAMINATION OF HOXIT / CAMERON-RULKOWSKI
1	A. Yes, I do.	1 investigation and prepared the investigation report,
2	Q. Now I would like to talk about the Company's	2 this ad was missing a permit number?
3	advertising.	3 <b>A. Yes.</b>
4	Have you identified advertisements of this	4 Q. And the current website that you checked today
5	Company for residential moving services?	5 now has a permit number; do I understand that correctly?
6	A. Yes.	6 A. Yes, this is correct.
7	Q. Please turn to Appendix V in the investigation	7 Q. Please turn to Appendix W in the investigation
8	report, which starts on page 107. Did you capture the	8 report, and this is on page 110. Is this an ad on the
9	images of the Internet sites that appear in Appendix V?	9 Company's All Star Movers website?
10	A. Yes, I did.	10 A. Yes, it is.
11	Q. Let's talk about the Facebook and Yelp pages	11 Q. And did you capture this image?
12	first.	12 A. Yes, I did.
13	Please turn to one hundred page 108. Is this	13 Q. Is this ad still there?
14	an ad on the Company's Careful Movers Facebook page?	14 A. Yes, it is.
15	A. Yes, it is.	15 Q. When did you last check?
16	Q. Is it still there?	16 A. This afternoon.
17	A. Yes, it is.	17 Q. Are there any problems with this advertisement?
18	Q. When did you last check?	18 A. Yes, there are.
19	A. This afternoon.	19 Q. Can you please describe those problems?
20	Q. Now let's turn the page to page 109. Is this a	20 A. Yes. The Company has an advertisement that
	Yelp posting for All Star Transfer and All Star Movers?	21 claims to save up to 60 percent on local and nationwide
21	reip positing for All Star Transfer and All Star Movers:	
21	A. Yes.	22 moving. They also advertise that they are 30 to 50
22		
	A. Yes.	moving. They also advertise that they are 30 to 50 percent less than other household goods competitors, and
22 23	A. Yes. Q. Is it still there?	moving. They also advertise that they are 30 to 50 percent less than other household goods competitors, and

Page: 10 (37 - 40)

EXAMINATION OF HOXIT / CAMERON-RULKOWSKI  1 anywhere. 2 O. And whats the problem with these claims of discounted rates? 4 A. Staff is unable to determine if the discounted rates allowed in the rates fall within the permitted rates allowed in the far attivition that the present that it is actually complying with tantif rates? 9 A. No. 10 C. Thank you. 11 Lef's now discous Staff's recommendation. 12 Are you recommending penalties for these violations? 13 violations? 14 A. Yes, I am. 15 O. All right. Can you please describe the personalises that you're recommending? 16 A. Yes, I am. 17 A. Yes, Staff recommends a ponalty of up to \$100 per each violation. There are 21 violations, and Staff 19 recommends a total penalty in the amount of \$21,000. 16 Per each violation. There are 21 violations, and Staff 19 recommends a total penalty in the amount of \$21,000. 17 A. Yes, Staff recommendation? 18 per each violation. There are 21 violations, and Staff 19 recommended in the work in the problem with the penalty in the amount of \$21,000. 18 per each violation. There are 21 violations, and Staff 19 recommended in the things of the penalty in the amount of \$21,000. 18 per each violation. There are 21 violations, and Staff 19 recommended in the problem of the penalty in the amount of \$21,000. 19 The staff recommendation is pour 21 investigation report on page 5. Do you still wish to 21 recommendation is that All Star Transfer 22 make those recommendations? 2 A. Staff's recommendation is that All Star Transfer 22 make those recommendations? 3 STATE OF WASHINGTON 4 (Adjourned at 2:29 p.m.) 4 A Yes, I am. 4 DIOGE CHARTOFF: The leastmony has been a brief closing statement, which in happy to start with a brief closing statement, which in happy to start with a brief closing statement, which in happy to start with a brief closing statement with in hor page 5. In the start with a brief closing statement with in hor page 5. In the start with a brief closing statement with in hor page 5. In the start with a sufficient property of the sta	Docket No. TV-180236 - Vol. I	9/25/201
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3 d. S. CAMERON-RULKOWSKI: I can address that. 4 A. Staff is unable to determine if the discounted 5 tacts fall within the permitted rates allowed in the 6 tarlf. 7 C. So Staff can't tell whether the Company is 8 actually complying with tariff rates? 9 A. No. 10 C. Thank you. 11 Let's now discuss Staff's recommendation. 12 Are you recommending penalties for these 13 violations? 14 A. Yes, I.am. 15 C. All right. Can you please describe the 16 penalties that you're recommending? 17 A. Yes, I.am. 18 or Wiscuss Staff recommendation. 19 recommends a lotal penalty in the amount of \$21,000. 10 You make some additional recommendations in your 11 investigation report on page 5. Do you still wish to 12 misse those recommendations? 13 A. Yes, I.d. 14 or What are they? 15 A. Staff's recommendation is that All Star Transfer's 16 page 38 EXAMINATION OF HOXIT / CAMERON-RULKOWSKI: 17 by the Commission, and that Staff conduct a follow-up 18 investigation report on page 5. Do you still wish to 19 did additional recommendations in your 21 investigation report on page 5. Do you still wish to 22 make those recommendations? 24 A. Yes, I.d. 25 A. Staff's recommendations in your 26 investigation of All Star Transfers' 27 Brage 38 EXAMINATION OF HOXIT / CAMERON-RULKOWSKI: 28 by the Commission, and that Staff conduct a follow-up 29 investigation report on page 5. Do you still wish to 20 investigation report on page 5. Do you still wish to 21 investigation report on page 5. Do you still wish to 22 make those recommendations in the All Star Transfer' 29 Brage 38 EXAMINATION OF HOXIT / CAMERON-RULKOWSKI: 3 investigation report on page 4. Do you do you have a report of advertising, the subsection of the first of the record. 3 staff of a drug recommendation of the Start with the page of the record of advertising, the subsection of the first of the start of the record. 4 by the Commission, and that Staff conduct a follow-up 5 investigation of All Star Transfers' business practices 6 within one year. 7 MS. CAMERON-RULKOWSKI: All right, your 18	•	
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