Docket No. TC-170883 - Vol. I

Beeline Tours Ltd. v. Brar

November 2, 2017



COURT REPORTING AND LEGAL VIDEO

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Docket No. TC-170883 - Vol. I - 11/2/2017

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION BEELINE TOURS LTD. d/b/a) SEATTLE EXPRESS)) DOCKET TC-170883 Complainant,) y.) BHUPINDER SINGH BRAR) d/b/a BRAR AIRPORT) TOWNCAR SERVICE,)) BRIEF ADJUDICATIVE PROCEEDING, VOLUME I Pages 1-72 ADMINISTRATIVE LAW JUDGES RAYNE PEARSON AND LAURA CHARTOFF November 2, 2017 1:00 p.m. Washington Utilities and Transportation Commission 1300 South Evergreen Park Drive SW Olympia, Washington 98504 REPORTED BY: TAYLER GARLINGHOUSE, CCR 3358 Buell Realtime Reporting, LLC 1325 Fourth Avenue Suite 1840 Seattle, Washington 98101 (206) 287-9066 Seattle (360) 846-6989 National www.buellrealtime.com		1 EXAMINATION INDEX 2 MICHAEL ROGERS PAGE 3 By Mr. Fassburg. 7 4 By Mr. Brar. 20 MATTHEW SCHMER 8 6 By Mr. Fassburg. 26 7 By Judge Pearson. 28 8 By Mr. Brar. 30 9 BHUPINDER SINGH BRAR 39 10 BHUPINDER SINGH BRAR 39 11 By Judge Pearson. 39 12 By Mr. Fassburg. 51 13 EXHIBIT INDEX 14 EXHIBIT S FOR ADMISSION PAGE 15 Exhibit MR-1 Photo of front of bus 19 16 Exhibit MR-2 Photo of back of bus 19 17 Exhibit MR-3 Back of brochure 19 18 Exhibit MR-5 Screen shot of bank statement 19 19 21 23 24 24
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1 A P P E A R A N C E S 2 ADMINISTRATIVE LAW JUDGES: 3 RAYNE PEARSON 4 LAURA CHARTOFF Washington Utilities and 5 5 Transportation Commission 1300 South Evergreen Park Drive SW 6 Olympia, Washington 98154 (360) 664-1160 7 8 FOR SEATTLE EXPRESS: 9 BLAIR I. FASSBURG Williams, Kastner & Gibbs PLLC 10 601 Union Street, Suite 4100 Seattle, Washington 98101 (206) 628-6600 bfassburg@williamskastner.com 12 13 FOR BRAR AIRPORT TOWNCAR SERVICE: 14 BHUPINDER SINGH BRAR 15 16 17 ALSO PRESENT: 18 MICHAEL ROGERS MATTHEW SCHMER 19 20 21 22 23 24 25		1 OLYMPIA, WASHINGTON; NOVEMBER 2, 2017 2 1:00 P.M. 3 o0o 4 PROCEEDINGS 5 JUDGE CHARTOFF: Good afternoon. Today is 7 Thursday, November 2, 2017, at 1:00 p.m., and we're here 8 today for a brief adjudicative proceeding in Docket 9 TC-170883, which is a formal complaint filed by Beeline 10 Tours, doing business as Seattle Express against 11 Bhupinder Singh Brar, d/b/a Brar Airport Towncar 12 Service. 13 My name is Laura Chartoff. I am an 14 administrative law judge with the Utilities and 15 Transportation Commission. I am co-presiding today with 16 Judge Pearson who will be presiding over the portions of 17 the hearing dealing with witness testimony. 18 Because the complainant bears the burden of 19 proof, Beeline's witnesses will testify first and then 10 we will hear from any witnesses from Brar Airport 10 Towncar. 11 Let's start by taking short appearances. 12 Please state your name and who you represent for the 13

1 (Pages 1 to 4)

Image: Second		Page 5	Page 7
2 be joining via the bridge line today, although 1 don't 3 know if he's going to chieve on behalf of 4 Bedine Tours. With me today also are Michael Rogers 5 and I'm sorry, Matt, 1 forgot your last 6 And I'm sorry, Matt, 1 forgot your last 7 name. 7 MR. SCHMER: Schmer. 9 MR. RAR: Brainder Singh, I'm the only 9 Ore. 10 JUDGE PEARSON: Is your last name. 11 ore. 12 JUDGE PEARSON: Is your last name, chay. 13 MR. RAR: Bran. 14 JUDGE PEARSON: Is sour last name, chay. 15 MR. BRAR: Yes, Br-ra-r. 16 MR. SASBURG: Sure. I will make a brid 17 Have an opening statement, you may make it now. 18 statement. Bedine Tours, with a certificate an autor transportation company which with a certificate an autor transportation service in wata strange and a half ago to what you just said and to clarify 17 Towncar Service, which is the d'bla' of Bhupinder Brar, 18 Statement. Bedine Tours and a brid ago to what you just said and to clarify 10 Towncar Service,	1	Fassburg with Williams Kastner, and Dave Wiley will also	1 EXAMINATION
3 know if he's going to chime in. Here today on behalf of Beeline Tours. With me today also are Michael Rogers and Mat 0. Will you please state your full legal name. 6 And I'm sorry, Matt, I forgot you last name. 0. And Will you spell your last name. 7 0. MR. Rogers. 0. And Will you spell your last name. 8 MR. SCHMER: Schmer. A. A. MR. Rogers. 0. 10 one. JUDGE PEARSON: Is your last name - JUDGE PEARSON: Is your last name - JUDGE CHARTOFF: Okay. Mr. Fassburg, I you 14 JUDGE CHARTOFF: Okay. Mr. Fassburg, I you Nr. Roars, You and he rows. 0. O. Do you also provide auto transportation service PEARSON: It is par okay. 15 MR. RAR: Strugeton, You may make a brief statamont. Bedin Forume, You may make a brief statamont. Bedin Forume Ster Biot is complaint against statamont. Bedin Forume Ster Biot is complaint against statamonta and the cruise tormales. They were an that investigation that, in fact, Birz Aiport 0. O. Now, based on what you just said and to charify for the record, do I understand correctly that Beeline rame Seattle Express. 7 A. Thank you. C. A. That's correct. 7 A. Thank you. C. A. That's correct.		-	
4 Beeline Tous:. With me today also are Michael Rogers and Matt A. Michael Marin Rogers. 6 And I'm sorry. Matt, I forgot your last A. Ro-g-e-rs. 7 name. C. And will you spell your last name. 7 M.R. SCHMER: Schmer. 9 M.R. BARA: Bruinder Singh, I'm the only 11 one. JUDGE PEARSON: Is your last name 13 M.R. BARA: Brar. 14 JUDGE PEARSON: It is star, okay. 15 M.R. BARA: Brar. 16 JUDGE PEARSON: It is star, okay. 17 M.R. BARA: Brar. 18 attamet. Beeline Tors? 14 JUDGE PEARSON: It is star, okay. 15 M.R. BARA: Brar. I will make a brief 16 statement. Beeline Tors filed this complaint against 17 M.R. FARA: Brar. I will make a brief 18< statement. Beeline Tors filed this complaint against 19 C. Now, based on what you just staid and to clarify 10 fort within the dryba of Bhupinder Brar, is provide auto transportation service? 11 Towncar Service, which is the dryba of Bhupinder Brar, is provide auto transportation service? 12 Townear Service, which is the dryba of Bhupin	3		3 Q. Will you please state your full legal name.
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12 JUDGE PEARSON: Is your last name MR. BRAR: Brar. 12 Å. It's a charter excursion company providing charter and excursion service for out of Seattle, Washington. 13 MR. BRAR: Yes, Br-ar. 13 charter and excursion service for out of Seattle, Washington. 14 JUDGE CHARTOFF: Okay, Mr. Fassburg, if you have an opening statement, you may make it now. MR. FASSBURG: Sure. I will make a brief 13 C. Do you also provide auto transportation service? 15 statement. Beeline Tours filed this complaint against Bhupinder Brar because it is Beeline is an auto transportation company with a certificate and authority to provide auto transportation service between hotels in SeaTac, Washington, and the cruise terminals. They were under the impression and investigated and beleved based on that investigation that, in fact, Brar Airport 0. Can you describe for the Commission why you purchased a company that were more that an auto transportation transportation certificate? 2 A. That's correct. 0. Can you describe for the Commission why you purchased a company that were doing and the an auto transportation service in washington, we believe they are subject to the jurisdiction of the to provide charter and excursion service. 9. Cartificate? 1 Towncar Service, which it hopes utimately will be a complement dwar were doing and the equipment that we hat the help service his growing business. So that 1 UTC; and so Beeline filed this formal complaint in order to seek a remedy, which it hopes utimately will be a ceasta and desist order against Brar, preventing them firs	10	MR. BRAR: Bhupinder Singh, I'm the only	10 the CEO as well.
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2 (Pages 5 to 8)

	Page 9	Page 11
1	between hotels in the city of Tukwila, Southcenter, Pike	1 A. Yep.
2	Place, and the cruise ship terminals, Pier 66 and Pier	2 Q. When you went to the Red Roof Inn, did they have
3	91. Passenger service from hotels in the cities of	3 any information available about Brar's services there in
4	Tukwila or SeaTac to the SeaTac Airport with the	4 the hotel?
5	required immediate stop at the cruise terminal, Pier 66	5 A. Yeah, I did notice while I was waiting for to
б	or Pier 91, on a single ticket fare.	6 be picked up that there was a brochure advertising their
7	Q. Now, is part of the reason that you wanted to	7 service and which I had took.
8	acquire that certificate because you understood that	8 Q. What I've previously marked as Exhibit MR-4 in
9	there would be some level of exclusivity in providing	⁹ this docket, if you'll turn to that.
10	auto transportation service in the territories	10 JUDGE PEARSON: Can we have a copy of that
11	described?	11 up here?
12	A. Absolutely, that was the main value that we	12 MR. FASSBURG: Sure. Your Honor, did I
13	purchased when we bought Seattle Express.	13 leave the notebook
14	Q. After you acquired Seattle Express and had that	14 JUDGE PEARSON: Oh, I took the binder, and I
15	certificate transferred to Beeline, did you learn that	15 left it in my office.
16	there were companies operating within the certificate	16 MR. FASSBURG: Okay.
17	territory that did not have auto transportation	17 JUDGE PEARSON: Okay. So let's just take a
18	certificates?	18 quick break, and I'll go grab that. I'm sorry about
19	A. I did.	19 that.
20	Q. Can you please describe for us how you came to	20 (Pause in the proceedings.)
21	know about Brar Airport Towncar Service?	21 JUDGE PEARSON: Let's be back on the record.
22	A. Initially, Matt Schmer, my other previous owner	And I'm sorry, I forgot these were in the same binder.
23	and my operations manager for Seattle Express, informed	23 MR. FASSBURG: Yeah, I know that's
24	me that, you know, there's companies operating,	24 confusing. We did that just so I wouldn't have to carry
25	providing passenger scheduled passenger	25 down six binders.
	Page 10	Page 12
-		
1	transportation service out of Red Lion excuse me, not	1 JUDGE PEARSON: Understood.
1 2	transportation service out of Red Lion excuse me, not Red Lion, Red Roof in SeaTac. And so that's how I	1 JUDGE PEARSON: Understood. 2 MR. FASSBURG: So I will provide Mr. Brar
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3 (Pages 9 to 12)

	Page 13		Page 15
1	Q. If you will, please turn to Exhibit MR-5. Can	1	Q. This is the same bus that picked you up?
2	you tell us what Exhibit MR-5 is?	2	A. I believe it is.
3	A. MR-5, it's a screen shot of my bank statement	3	Q. Now, that I understood it picked you up at
4	showing the charges that I showing the charges from	4	the Red Roof in SeaTac, where did the bus take you?
5	Brar Transportation.	5	A. I believe it was Pier 66.
6	Q. Okay. And showing that you paid \$17?	6	Q. Were there other people on the bus?
7	A. Correct, 17.	7	A. Yes, there were.
8	Q. Now, the date there, August 14th, 2017, is that	8	Q. And were those people people to whom you were
9	the day on which you made that trip?	9	related?
10	A. No, I actually made the trip on August 12th.	10	A. No.
11	Q. And while we were off the record, did you do	11	Q. Or did you know who those people were?
12	something to refresh your memory about the day of the	12	A. I did not.
13	trip?	13	Q. Did they get on at the Red Roof Inn?
14	A. I did. I took a look at my notes on my phone I	14	A. Yes, they did.
15	kept.	15	Q. When you made payment, where did you make
16	Q. Okay. Now, if we will turn back to MR-3, the back of that flyer, down at the bottom half of that	16	payment? A. Paid the driver.
17 18	where it says (as read) Flat rate to downtown, departs	17 18	Q. And did you pay the driver at the Red Roof Inn
19	daily, can you describe for me or l'm sorry, describe	19	or at the pier?
20	for the Commission what you're seeing here on the on	20	A. At the pier.
20	the flyer?	21	Q. Did you have an opportunity to observe anyone
22	A. It appears to be scheduled service from the Red	22	else pay the driver?
23	Roof Inn to downtown with departures daily at 11:00,	23	A. I did.
24	1:00, and 4:00 p.m. and returns daily at 4:00, 6:00, and	24	Q. Did each person more or less make their own
25	9:00 for the price of \$15 per person one way.	25	payment?
	Page 14		Page 16
1	Q. Okay. So when you actually took that trip, you	1	A. I believe so.
2	Q. Okay. So when you actually took that trip, you were told by the Red Roof Inn that they depart at what	2	A. I believe so.Q. When you got off the bus at the pier, did the
2 3	Q. Okay. So when you actually took that trip, you were told by the Red Roof Inn that they depart at what time?	2 3	 A. I believe so. Q. When you got off the bus at the pier, did the driver offer to coordinate for return transportation?
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4 (Pages 13 to 16)

	Page 17		Page 19
1	A. Not to me, no.	1	vehicles?
2	Q. Okay. Is it your understanding that the	2	MR. BRAR: Photos of the vehicle, is my
3	existing provider that the Red Roof Inn uses is Brar?	3	vehicle, yeah.
4	A. Correct, yes, it is.	4	JUDGE PEARSON: So you're okay with that?
5	Q. Would you like it if Beeline were able to	5	MR. BRAR: Yeah, the vehicle is mine.
6	provide the service from the Red Roof Inn to the cruise	6	JUDGE PEARSON: Okay. So I will go ahead
7	piers?	7	and admit those and mark them as Exhibits MR-1 through
8	A. Absolutely.	8	MR-5.
9	Q. And how many passengers a day do you estimate	9	(Exhibits MR-1 through MR-5 admitted.)
10	during cruise departure days are departing from the Red	10	JUDGE PEARSON: But I did have a question.
11	Roof Inn via Brar's service?	11	MR-1, 2, and 5 are dated July 8th, which doesn't seem
12	A. It's I mean, just a bare minimum would be 20	12	correct given that the trip was taken on August 12th and
13	people a day at the bare, bare minimum.	13	the charge to the bank was August 14th.
14	Q. And how many cruise ship departure days are	14	MR. FASSBURG: Are you referring to the
15	there during the season?	15	exhibit list, the date?
16	A. A hundred.	16	JUDGE PEARSON: Correct.
17	Q. Do you have an estimate of what the loss per	17	MR. FASSBURG: That may have been my
18	passenger is for Beeline for each passenger that uses a	18	mistake.
19	different provider would be?	19	JUDGE PEARSON: Okay. So should we make
20	A. We've estimated about \$20 per person.	20	corrections? So what should those dates be?
21	Q. So do you have an estimate, therefore, of the	21	MR. FASSBURG: Yeah, those dates should all
22	minimum loss Beeline caused by Brar providing the	22	be August 12th.
23	service between the Red Roof Inn and the cruise piers?	23	JUDGE PEARSON: Okay. With the exception of
24	A. Very, very conservative estimate of \$40,000.	24	the bank statement, that was the 14th, correct?
25	Q. How does that affect the viability of Beeline's	25	MR. FASSBURG: That's the date that it shows
	Page 18		Do 00
	rage IO		Page 20
1		1	Page 20
1	operation?	1	the money coming out of the account.
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5 (Pages 17 to 20)

	Page 21	Page 23
1	here every day, so three people, seven people, nine	1 MR. BRAR: Yeah, so that's my question is
2	people, so how he did that.	2 that how you can predict somebody's that I cannot
3	A. Just, again, looking at the viability of owning	3 afford a mini bus.
4	a mini bus and being in the industry for 20 years and	4 JUDGE PEARSON: Okay. I think he's answered
5	knowing the type of how much business you need to	5 the question, and I will just say from our perspective,
6	generate in order to support owning and maintaining and	6 we recognize that he's speculating, he's making a guess.
7	fueling a motor mini bus. To have a viable business at	7 We won't afford that much weight with respect
8	20 bucks a head, 20 passengers a day is revenue of \$400	8 especially if you have your books here to prove how many
9	a day, which is sort of the bare minimum through my	9 passengers, which we asked you to bring. So don't worry
10	business practice that it took to be a viable business.	10 about that from that perspective.
11	But to be honest, it is just an estimate, and we	11 MR. BRAR: Okay. And the second question,
12	do provide service to other hotels, so we do have an	12 this is the you asked me if you have any other
13	idea of how much business a hotel generates and, again,	13 questions for him, right?
14	most of our hotels are generating between 20 and 50	14 JUDGE PEARSON: Questions, yes.
15	passengers a day. So that's how I came up with that	15 BY MR. BRAR:
16	number, which I thought was very conservative.	16 Q. My second question is, you was familiar you
17	Q. And one more thing here too. First of all, I	17 told me before right here that you was familiar about
18	will tell you what is Red Roof hotel. Red Roof hotel is	18the Seattle Express, how much business he had, and you
19	a small hotel.	19 know that you was familiar how much business Seattle
20	JUDGE PEARSON: Okay, wait. Mr. Brar, we're	20 Express had, how much equipment he had. You were
21	going to give you a chance to testify in just a minute.	21 familiar, did you ever see that equipment that he used
22	MR. BRAR: No, I want to go on that one too.	22 to use? And you have you told that you was familiar
23	I'm giving that answer now, okay. What he just told me.	 about the business, but you ever familiar that Seattle Express, people the hotels no longer use use
24 25	Give me one second. BY MR. BRAR:	24 Express, people the hotels no longer use use 25 that that Seattle Express because for the bad
20	DI MR. DRAR.	
	Page 22	Page 24
1	Page 22 Q. So you think like that, that how is if there's	Page 24
1 2		
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2	Q. So you think like that, that how is if there's five or seven people in a day or ten people, how I am	 service? There's no A/C in the summertime in the busses? And the pick-up that's at 11 o'clock, they
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6 (Pages 21 to 24)

	Page 25	Page 27
1	MR. BRAR: He could have called us, too,	1 they now use a different company.
2	Hey, I am the new owner of the if you don't put it on	2 Q. Did they explain to you what happened, why they
3	a board or anything like that, how can you know that he	 decided to use a different company?
4	is a new owner?	4 A. Yes.
5	JUDGE PEARSON: Okay.	5 Q. Can you elaborate on that?
6	MR. BRAR: Until we got a letter from	6 A. So my understanding was that they have gone with
7	September or something that September, beginning,	 7 another company that is also applying their shuttle that
8	then we knew that Beeline was that.	8 goes from the airport directly to their hotel and that
9	JUDGE PEARSON: Okay. And I can understand	9 that company they're supplying that service is also
10	the confusion, given that Mr. Schmer is still involved	10 going to be the sole company that provides the service
11	with the company as well so	11 for them to the cruise ships.
12	MR. BRAR: Yeah.	12 Q. Now, before that occurred, did they ask you for
13	JUDGE PEARSON: All right. Do you have any	13 a discount on any of your service in order to acquire
14	other questions or can we move on? You will get your	14 that other piece of business?
15	turn here shortly.	15 A. Yes.
16	MR. BRAR: Yeah, move on.	16 Q. Can you describe for the Commission what went on
17	JUDGE PEARSON: Okay.	17 in your discussions with the Red Roof Inn in that
18	MR. FASSBURG: So I have questions for	18 respect?
19	Mr. Schmer, if we can call Mr. Schmer.	19 A. They had asked me to submit an estimate on what
20	JUDGE PEARSON: Sure.	20 I would charge to go from the airport to their hotel on
21		a continuous service 24 hours a day. So I came up with
22	MATTHEW SCHMER, witness herein, having been	that estimate based off of what they required.
23	first duly sworn on oath,	23 Q. And how did that relate to the passenger service
24	was examined and testified	between the hotel and the cruise pier?
25	as follows:	A. It was my understanding through the conversation
	Page 26	Page 28
1	EXAMINATION	1 that the bid I submitted would also give me full-ride
2	BY MR. FASSBURG:	2 access to all the passengers at their hotel going to the
3	Q. Will you please state your full legal name.	3 cruise ships.
4	A. Matthew Edward Schmer, S-c-h-m-e-r.	4 Q. Do you have any knowledge who is providing the
5	Q. And can you please provide for the Commission	5 current shuttle service between the hotel and the
6	your occupation and relationship with Beeline?	6 airport at the Red Roof Inn in SeaTac?
7	A. I was the former owner of Seattle Express, and I	7 A. It's my understanding that it's Brar
8	and a summariably a manufactural the neurophing a slippa of the /a Casttla	
	am currently employed through Beeline, d/b/a Seattle	8 Transportation.
9	Express as the operations manager.	 8 Transportation. 9 MR. FASSBURG: I have no further questions.
9 10	Express as the operations manager. Q. In your experience as the former owner of	 8 Transportation. 9 MR. FASSBURG: I have no further questions. 10 Thank you.
9 10 11	Express as the operations manager. Q. In your experience as the former owner of Seattle Express, do you have any personal familiarity	 8 Transportation. 9 MR. FASSBURG: I have no further questions. 10 Thank you. 11 JUDGE PEARSON: I have a couple of
9 10 11 12	Express as the operations manager. Q. In your experience as the former owner of Seattle Express, do you have any personal familiarity with Brar and its operations prior to the transfer of	 8 Transportation. 9 MR. FASSBURG: I have no further questions. 10 Thank you. 11 JUDGE PEARSON: I have a couple of 12 questions.
9 10 11 12 13	Express as the operations manager. Q. In your experience as the former owner of Seattle Express, do you have any personal familiarity with Brar and its operations prior to the transfer of ownership?	 8 Transportation. 9 MR. FASSBURG: I have no further questions. 10 Thank you. 11 JUDGE PEARSON: I have a couple of 12 questions. 13
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7 (Pages 25 to 28)

	Page 29		Page 31
1	Q. Okay. And were they certificated auto	1	them what they can and can't do.
2	transportation carriers?	2	Q. Why not not about the hotel. I didn't ask
3	A. No.	3	you about the hotel, what they can do or not. Why you
4	Q. Okay. So you understand that that's	4	didn't complain to UTC right here that this is going on?
5	problematic, correct?	5	MR. FASSBURG: I think he just answered that
6	A. Yes.		question.
7	Q. Okay.	7	BY MR. BRAR:
8	A. I do now, yes.	8	Q. My question is simple, why you didn't call UTC
9	Q. Okay. And, Mr. Rogers, as the new owner of the	9	and complain that this is going on? Nothing about the
10	company, I understand that Mr. Schmer is still	10	management, nothing about the anyone, my question is
11	overseeing those operations, so do you understand that	11	why you didn't complain to UTC?
12	that's that violates Commission rules and is	12	MR. FASSBURG: I think he just answered that
13	completely unacceptable?	13	question. It may not have been the answer Mr. Brar
14	A. I am now. Yes, it's been made clear.	14	
15		15	wanted to hear, but he explained it was based on his relationship with businesses.
	Q. Okay. And I know that's not why we're here		•
16 17	today, but because the Commission is obviously concerned	16 17	JUDGE PEARSON: Okay. I think that's
17 18	with the compliance of all certificate holders, I feel	18	that's accurate.
19	obligated to say something and make that crystal clear		Mr. Brar, do you have any other questions or
20	on the record so that you're on notice that if we find	19	would you like to testify now?
	you doing that in the future, you can expect enforcement	20 21	MR. BRAR: One more question for him.
21 22	action.	21	That's okay.
	A. Okay.		JUDGE PEARSON: All right. Thank you.
23 24	JUDGE PEARSON: Do you have any questions	23 24	Okay. Mr. Brar, we will swear you in at this point. If
24	for Mr. Schmer? MR. BRAR: Yeah, that's the thing.	24	you could stand and raise your right hand, I'll have Judge Chartoff swear you in and then you can give your
23	with Diotect. Tean, that's the thing.	23	Sudge Charton Swear you in and their you can give your
	Dage 20		
	Page 30		Page 32
1	EXAMINATION	1	Page 32 side of the story and provide us with any of the
1 2		1 2	
	EXAMINATION		side of the story and provide us with any of the
2	E X A M I N A T I O N BY MR. BRAR: Q. And if you find out three or five years ago that Brar is taking the people to the cruise terminal, why he	2	side of the story and provide us with any of the documents that you brought with you today. BHUPINDER SINGH BRAR, witness herein, having been
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8 (Pages 29 to 32)

	5 22		2 25
	Page 33		Page 35
1	Number two, Seattle Express already have a	1	So that's the time people used us in the
2	contract, a group called WNPH. They come and pick up	2	past. Hey, we give them good service. If Beeline if
3	all the time from there, even now. So majority of the	3	you give somebody a good service, he will come to you.
4	people that they get from there because they have a	4	If he gives you a bad service, if you give a bad service
5	contract with the WNPH for a long time.	5	to anyone, they will not come to you. And people
6	Number three, then the people call taxis,	6	spending the hotels, the tickets for the cruise lines,
7	then people call Uber, and the people like me that have	7	the motels, the people like us, transportation, that was
8	a relationship with the hotel from long time, yes, I	8	the reason, Mr. Rogers, people liked us. And people
9	pick up from the hotel, Red Roof hotel. I pick up from	9	tell okay, we want to go with your service. Not about
10	them, and plus I do the limousine business also. So if	10	the discount.
11	there's three people, I send my town car. If there's	11	We have charged \$1 more than whatever
12	seven people I send, you know, a van or something like	12	somebody could have used, but the people have loved to
13	that. And I did use the big shuttle, the one that they	13	pay, and people told us, you have good service, we are
14	sended [sic] me in the pictures, I did that. And I did	14	there. If we tell you 11 o'clock, we are there at
15	that like four or five times because at that time,	15	11 o'clock. Ask Mr. Matt here how many times his
16	the what the group was like 18 people, 20 people.	16	shuttle his bus shuttle broke down on the first day
17	That three, four times happened in the whole season	17	of new bridge. His driver, John Wilson sorry, John
18	that for the cruise season for four months, four and	18	Nelson who died, how many times we helped him. He's
19	a half months, sorry.	19	standing on the bridge with 30 people, so you have to
20	I did that two or three times. I used a	20	wait for someone that who has in Seattle the shuttle
21	bus, and the flyers that they showed me, this is my	21	service, and he's the only one can pick it up. I picked
22	flyer, and we never provide the service. We I only	22	up for you for Nelson. Right here. The guy died, but I
23	provide the service to go to the cruise line. Only to	23	am the one right here standing in the front of you. He
24	the cruise line. I don't even pick up from the cruise	24	was a very good guy.
25	line because, you know, I tell them, you know, call	25	So that was my these people have never
	Page 34		Page 36
1		1	
1 2	Page 34 different company or you can go with that one. I even if I have picked up from the cruise line, like not	1 2	Page 36 done a good job doing the hotels. If not Beeline is a new owner from four our five months, I just find out
	different company or you can go with that one. I		done a good job doing the hotels. If not Beeline is a new owner from four our five months, I just find out
2	different company or you can go with that one. I even if I have picked up from the cruise line, like not	2	done a good job doing the hotels. If not Beeline is a new owner from four our five months, I just find out when you handed me the notice. And if they want to take
2 3	different company or you can go with that one. I even if I have picked up from the cruise line, like not more than 50 people coming the whole season back to Red	2 3	done a good job doing the hotels. If not Beeline is a new owner from four our five months, I just find out
2 3 4	different company or you can go with that one. I even if I have picked up from the cruise line, like not more than 50 people coming the whole season back to Red Roof Inn. When people tells you, Hey, you have to do	2 3 4	done a good job doing the hotels. If not Beeline is a new owner from four our five months, I just find out when you handed me the notice. And if they want to take it, I have no problem. And and it's seven people,
2 3 4 5	different company or you can go with that one. I even if I have picked up from the cruise line, like not more than 50 people coming the whole season back to Red Roof Inn. When people tells you, Hey, you have to do this for us. And most my business is the town car and	2 3 4 5	done a good job doing the hotels. If not Beeline is a new owner from four our five months, I just find out when you handed me the notice. And if they want to take it, I have no problem. And and it's seven people, eight people, nine people, ten people. If they want to
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	Page 37	Page	<u>ع</u> 39
1	this transportation I'm doing for 15 years I got only	1 just give them a good service. Seattle Express didn't	
2	one departure I did was 11:00 a.m. just to the cruise.	2 do a good job. I tell him again and again and every	
3	Only one time, that's ten people, sometimes 12 people,	3 hotel knows, and you bought the company from him.	
4	sometimes three people. And I never went to Pikes	4 That's my hotel, and it was 225 people that I picked up	,
5	Market, I never went to Space Needle, never went to	5 from from the hotel going to cruise line. It's all	
6	waterfront, I never went to Pioneer Square, I never went	6 in my books every day with the dates and time that I	
7	to Alki, never in my whole life.	7 went there. It's all in the books right here, you can	
8	It's a small motel. People take a train for	8 take it.	
9	\$2 and they go. Don't and \$2, why somebody have to	9 And I charge \$15 each person. Sometimes	
10	spend \$15? And if they have \$15 to spend, they will go	10 people pay with the credit card. We charge \$1 or \$2	
11	and they will go and take a room for rent in Hampton	11 transition fee or somebody or sometimes people pay	
12	Inn hotel, in the Marriott hotel, not like that kind of	12 tips 1 or \$2, we took that. But I charge this season	
13	small motels. And that's the only motel in Washington,	13 I charged 15 because whole life he charged \$12. He k	
14	only one Red Roof Inn. They don't even have a chain	14 that he didn't make no money, so everybody raised the	;
15	that, you know, can go from that you you have to go	15 price, \$15 a head. I picked up from Red Roof Inn to	
16	somewhere like if I'm working with Hampton, I will go	16 the to the cruise line, Pier 66 and 91. Yes, did	
17	I will get another Hampton, third Hampton.	17 that mistake, but I didn't know that this will come	
18	There's one in whole Washington State, that	18 bigger.	1
19	they have only one hotel. One. And if the total people	19 JUDGE PEARSON: Okay. So I have a couple	e or
20	that I picked up from this whole season I was counting,	20 questions for you.	
21 22	it was 226 to 240 people that I picked up from that	21 22 EXAMINATION	
22	from that hotel going to the cruise. And maximum, maximum not more than maximum if I give	23 BY JUDGE PEARSON:	
23	you I have not picked up more than 50 people coming	 23 BT JUDGE PEARSON. 24 Q. How many of these how many vehicles do y 	
25	back.	 25 operate under your charter and excursion certificat 	
23	Jack.		C :
	Page 38	Page	e 40
1	Because I will tell you one more thing here	1 A. Ma'am, I do five, but I have only one shuttle	
2	too. On Pier 91, when it used to rain and used to have	2 bus.	
3	so much traffic there, still the Seattle Express didn't	3 Q. Okay. So are the other things party busses	?
4	do a good job there. They used to find the people here	4 A. Yes, party bus. No, I don't use for that	
5	and people like me, Hey, can you cover five people for	5 because there's no luggage room.	
6	me? Can you cover four people for me? Can you cover	6 Q. Sure.	
7	eight people for me? That is the reason that is the	7 A. You need luggage room, so that's the only o	ne
8	reason they didn't call UTC because they are the ones	8 bus I have.	
9	who was using us to help their customers to take to the	9 Q. So you use one bus, and how many does it	seat?
10	airport from the cruise line when there was no one	10 A. 29.	
11	there.	11 Q. 29?	
12	So might when he sold the company to	12 A. Yeah.	
13	Rogers, he have not told him like that. That's why	13 Q. Okay. And then my other question is, it say	
14	Rogers might, I tell you might, but if he have	14 Horizon Limousines on the back, is that one of yo	ur
15 16	might he have not told him that. And I and that's	15 registered DBAs?	
16 17	it. I'm I'm a simple person raising my family every day. I am a very cool guy. Very cool guy in my life.	 A. DBA, yes. Q. Is it registered here at the Commission? 	
18	People like all the big companies that I take the	 Is it registered here at the Commission? A. Yes, under the name Brar Towncar. Under the name Brar Towncar. 	m_{λ}
19	name right here, they respect me a lot because I do lot	19 license, you know, the one I have limousine license	•
20	of calls for them, the town car calls, van calls.	20 have that.	2, 1
20	And, you know and if I will I don't	20 Nave that. 21 Q. But do you have it for your charter and	
22	think in my life that this will become so big of an	22 excursion license as well with the Commission?	
23	issue that I have to come to the Commission and sit down	 A. Yes, Brar Towncar Service, yes, I have that. 	
24	and in in front of you guys. And if makes you the	24 Q. The Horizon Limousines, though?	
25	whole season taking this 220, 240 people, Mr. Rogers,	25 A. The the Brar.	
1			

10 (Pages 37 to 40)

	Page 41	Page 43
1	Q. But I'm asking if Horizon Limousines is a DBA	1 people happened, yes, but on the small ones, no.
2	that you have registered with the Commission?	2 Because on the vans if there are three people I used to
3	A. Yes, I did in the limousine ones. It's all	³ use a town car.
4	under one name.	4 Q. Because you're required under the limo laws
5	Q. Okay. So you might want to check that just	5 A. Yes.
6	because if that particular DBA isn't on file with the	6 Q that it has to be a single contract.
7	Commission, you can pay \$35 and have it recognized	7 A. Single contract.
8	since you do have it printed on a 29-passenger bus.	8 Q. Okay.
9	A. Yes.	9 A. So that's why on the van, I used like my vans.
10	Q. Which is presumably a bus you're using under	10 I have vans, Sprinters, I have town cars. You know, if
11	your charter and excursion certificate.	11 there's three people is a town car because, 14, \$15
12	A. Yes.	12 each, \$45 and people charge \$45 to airport, so that
13	Q. Just make sure that that DBA is on file with the	¹³ that is okay with me.
14	Commission.	14 Q. Uh-huh.
15	A. No problem, and that name is also on the side,	15 A. And, you know, the cruise, there is some weeks
16	Brar Towncar Service is also a UTC number and everything	16 in the cruise season where it gets busy, like the month
17	is there.	17 of July where he got my picture, August, September,
18	Q. Yeah, no, I saw that.	18 school opens, business drops. So I used three or four
19	A. That's the only bus one I have and but	19 times. Not even one or twice, Matt, he is saying one or
20	usually I pick up the groups all the time, but sometimes	20 twice, but I use like three or four times when the group
21	I get so busy with the van, town cars, and that's the	21 was big.
22	reason I could have used that big bus, otherwise I don't	22 Q. Okay. So when you're saying that you
23	have to use the big busses to go.	transported 225 people to Pier 66 and 91 during this
24	Q. Okay. So it sounds to me like you are admitting	24 last cruise season, is that total meaning in either town
25	that you were providing scheduled transportation	25 cars or busses?
	Page 42	Page 44
1	Page 42	Page 44 1 A. Total, yes, total.
1 2		
	service	1 A. Total, yes, total.
2	service A. Only one schedule, 11:00 a.m. That's it.	1 A. Total, yes, total. 2 Q. Okay.
2 3	serviceA. Only one schedule, 11:00 a.m. That's it.Q. So you had one trip a day?	 A. Total, yes, total. Q. Okay. A. It's a small ma'am, if you go to the Red Roof
2 3 4	 service A. Only one schedule, 11:00 a.m. That's it. Q. So you had one trip a day? A. Once. Q. From the Red Roof Inn to the cruise piers for A. Yes. Not every day with the bus, no. 	 A. Total, yes, total. Q. Okay. A. It's a small ma'am, if you go to the Red Roof hotel, it's a small hotel. It's a small hotel. I told you, there's so many people come and pick up. Number one, Seattle Seattle Express pick up the big groups
2 3 4 5	 service A. Only one schedule, 11:00 a.m. That's it. Q. So you had one trip a day? A. Once. Q. From the Red Roof Inn to the cruise piers for 	 A. Total, yes, total. Q. Okay. A. It's a small ma'am, if you go to the Red Roof hotel, it's a small hotel. It's a small hotel. I told you, there's so many people come and pick up. Number one, Seattle Seattle Express pick up the big groups from WNPH. Then people take taxis, then people take the
2 3 4 5 6	 service A. Only one schedule, 11:00 a.m. That's it. Q. So you had one trip a day? A. Once. Q. From the Red Roof Inn to the cruise piers for A. Yes. Not every day with the bus, no. 	 A. Total, yes, total. Q. Okay. A. It's a small ma'am, if you go to the Red Roof hotel, it's a small hotel. It's a small hotel. I told you, there's so many people come and pick up. Number one, Seattle Seattle Express pick up the big groups
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 service A. Only one schedule, 11:00 a.m. That's it. Q. So you had one trip a day? A. Once. D. From the Red Roof Inn to the cruise piers for A. Yes. Not every day with the bus, no. Q. Okay. A. No, the once if they have like 18 or 20 people. Q. I see. A. Once in a blue moon, if you because I have a town car. If there's three people in a group, I send a town car. If it's a group of six people, I send a van. So this is goes sometimes they have zero pick-ups too. So this is what they tell, Hey, we have three people. Today we have seven people, group of three, I send a town car. I send a van. I send you know, three or four times when the group was big and then they used that that the bus that I showed you right there. Q. And you also admit that in those instances when you used the bus, the passengers were not all part of the same group. They were unrelated passengers who just 	 A. Total, yes, total. Q. Okay. A. It's a small ma'am, if you go to the Red Roof hotel, it's a small hotel. It's a small hotel. I told you, there's so many people come and pick up. Number one, Seattle Seattle Express pick up the big groups from WNPH. Then people take taxis, then people take the cruise shuttles, then people take the Uber, and this is the left behind. Q. Okay. So in these records that you gave me, see, it looks like, you know, this will say three people, Pier 66 A. Yeah. Q SUV. Have you indicated on which days you used the mini bus? A. No, I didn't. Whenever the group was bigger, whenever the groups were bigger, I used that one, the bigger one. 18, 20 people or 25 people. The maximum the max amount of people I picked up was 22 people sometimes. That's it. Q. Okay. A. That's the thing. I did that thing. And how many people can come out of the small hotel. I'm just

11 (Pages 41 to 44)

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	Page 45		Page 47
1	rooms of 140 rooms and not everybody going to the cruise	1	they have a lot of luggage.
2	and out of that, what if they want to take that part out	2	Q. Okay. So if you have eight people
3	from me?	3	A. The van.
4	Q. So what do you label is it called the bus	4	Q what vehicle would you use?
5	when you use the bus so	5	A. Van, the van holds ten people plus luggage.
6	A. No, no, when I see the calculation, when I see	6	Q. Okay.
7	the calculation is bigger, let's load up, you know	7	A. Big van, E-350. I have three vans. I have one
8	let's load up 10, 15 people if I don't have to use	8	is a Sprinter, so we use that one to go to the vans too.
9	the SUV or town car. And the thing is sometimes the	9	Q. Okay. So this is kind of difficult for me to
10	last-minute calls come in. Hey, I forgot to I forgot	10	sort through while I'm sitting here, you know, to figure
11	to make a reservation, can you take us to the can you	11	out how many times it happened.
12	take us to the cruise terminal? Then we go and take the	12	A. Yeah.
13	cruise terminal. Okay. Let's go.	13	Q. But I don't know that that's necessarily
14	Q. Okay. So I just looked through this book, which	14	information that we need to have for our purposes here
15	looks like it was September and October. I don't see	15	because you've admitted that you did it.
16	any use of the bus because that was the slower part of	16	A. Yeah, and plus, I don't go to hotel to hotel.
17	the year	17	I I you have not seen my brochures anywhere any
18	A. No, ma'am, what have happened I want to tell	18	other hotels, anywhere in the public place, anywhere in
19	you one thing. SUV or van, we got busy on the airport,	19	the private place. You have not seen my brochures
20	we take the people in the bus.	20	nowhere but on that on that particular hotel whenever
21	Q. What I'm sorry, can you restate that?	21	I picked up from there. I didn't pick up from that
22	A. If you see on the books, it's written like four,	22	hotel that I went to other hotel that to
23	six people or seven people.	23	Q. I understand.
24	Q. Right.	24	A. I didn't do nothing about that. I just I
25	A. And we took it in the bus because it got busy,	25	have enough business from the town car and limousine
	Page 46		Page 48
1	got busy on the airport, so we took that people, that		business, ma'am. I have enough. Always I have not ever
2	seven people, three people, four people in one bus.	2	had a single complaint from nine, ten years in my whole
3	When the people was when the people was full in the	3	life. Not a single you know, I pride myself with
4	lobby like you see that six people, four people, two	4	and the thing is that's the thing I think they
5	people, right?	5	want to take that 15, 20, whatever 200 people from me.
6 7	Q. Right.	6 7	Go ahead. If that makes everybody happy and makes a
8	A. So I took it in the bus.Q. Oh, okay.	8	good company of Beeline, can make more money, go ahead, take it. Just give them good service. I don't and
9	A. \$15 each person, so I took it in the bus.	9	these brochures, did you guys find these brochures at
10	Q. So for example, this says Friday, May 19th,	10	any other hotels except Red Roof Inn? Can I show
11	eight people to Pier 91, van; four people to Pier 91,	11	something?
12	SUV; two people to Pier 91, town car. Are you saying	12	Q. No.
13	that you put all 14 of those people	13	A. Okay.
14	A. Yes.	14	Q. That's closed, but because that's the only piece
15	Q in the bus together?	15	of evidence they submitted, that is the only thing that
16	A. Yes, once when we got very busy. At 11:00 a.m.	16	we will consider.
17	we get very busy, and that's where I have used three or	17	A. Yeah, you're right, and that's the only thing
18	four times the busses.	18	that we did and you call it is if they I want to
19	Q. Okay. So otherwise, if there are like this	19	and we charge \$15 a person and, you know.
20	says four people, SUV, four people, van, would they have	20	Q. Okay.
21	all fit into would you have to use the bus there or	21	A. And seven people, eight people, nine people
22	what's the maximum?	22	sometimes, take it.
23	A. Ma'am, that the SUV holds up to six people,	23	Q. So just to be clear so that you do understand
24	six people luggage cannot be hold in the SUV. Four	24	that when you combine unrelated parties in a vehicle and
25	people with the luggage can hold in the SUV because if	25	transport them to cruise piers, you do understand that

	Page 49	Page 51
1	that's beyond the authority that you have as a charter	1 as well. It think he's admitted the key issues that I
2	and excursion carrier? You're crossing the line into	2 wanted to address, but I do want to address one specific
3	auto transportation service, which you do not have a	3 rule.
4	certificate to provide?	4
5	A. Ma'am, you are absolutely right, and I'm very	5 EXAMINATION
6	sorry for that.	6 BY MR. FASSBURG:
7	Q. Okay.	7 Q. Mr. Brar, did you understand that under the
8	A. And really because I have not intentionally want	8 definition of charter carrier, you can only provide
9	to take anybody's business, let them make whoever wants	9 service to people under a single contract?
10	to do. That was my mistake, I did it, but I I didn't	10 A. Yeah.
11	thought this will go so up so just and where I	11 Q. And did you understand that under the same
12	have to come, you know. Even if they call me and told	12 definition, single contract means you can't charge them
13	me, you know, they want to pick up the people, go ahead.	13 individually?
14	Q. I understand.	14 A. Yeah, you're right. That was a mistake that I
15	A. If that makes 200 people.	15 did and I told them, yes.
16	Q. Okay. I just wanted to make sure that you	16 Q. When you were providing these trips in SUVs and
17	understood what you can and can't do within the scope of	17 limousines and town cars, were you charging those people
18	your authority.	18 individually as well?
19	A. Yes, if if	19 A. No, there was a group.
20	Q. I'm sorry, what was that?	20 Q. So from the Red Roof Inn to the cruise piers,
21	A. I am just doing one calculation here.	21 you were not charging them \$15 a person?
22	Q. Sure.	A. No, I was charging them a group. I used to give
23	A. 230 people multiplied by 15, 2,400, something	23 them whatever the price for the market on the Internet
24	like that. This is what I this is what I made from	24 is. Like if there's six people, it's \$90 because \$90
25	that.	25 who pays \$90 to go there? People charging \$65 to go
	Page 50	Page 52
1	Q. Okay.	1 there. People not stupid in this smart world.
2	A. Giving them good service. Only thing, Matt is a	2 Everything is right here. You do Uber, Uber takes for
3	very Seattle Express is from long time. If you want	3 \$52 for six people.
4	a long time in the business, somebody will respect you	4 Q. So my question was a little different.
5	and take your thing. If he is 15 years in the business,	5 A. No.
6	I myself is nine years or ten years business, nine to	6 Q. It's just are you charging them \$15
7	ten years business. We respect him, too, and we learn a	7 A. No.
8	lot of things from this guy too. And it's nothing from	8 Q a person?
9	the personally. Nothing from personally that what do	9 A. No.
10	what do you call what we did. Nothing like that, but we	10 Q. Okay. So when they reserve as a group, you
11	didn't know.	11 charged them at a group rate?
12	Q. Okay.	12 A. No, it's how many people are you talking
13	A. And if he have if have given a good service	13 about?
14	at that moment, that seven years, eight years and there	14 Q. I'm just asking do you charge them as a single
15	were no Ubers there, they would have never used us, too,	15 rate or do you charge them
16	S0	16 A. I'm asking you if there are six people, suppose
17	Q. Okay.	17 you are six people, right? Six people, how many people
18	A. So let them let them if they want to have	18 are you trying to ask me?
19	even the cruise season.	19 Q. I'm not asking
20	Q. Okay. Thank you.	20 A. Give me number.
21	JUDGE PEARSON: Judge Chartoff, do you have	Q. No, that's not my questions. If I wanted to
22	any questions for Mr. Brar? No.	22 reserve a limousine
23	Okay. Mr. Fassburg, I will turn him over to	A. If somebody reserve an SUV, I will charge them
24 25	YOU.	 \$65, that can hold up to six people. Q. What if three people want service without
- 'Jh		
25	MR. FASSBURG: I will try to keep it short	Q. What if three people want service without

13 (Pages 49 to 52)

	Page 53	Page 55
1	specification of what vehicle from the Red Roof Inn to	1 was a Monday where there's just not a lot of people
2	the cruise pier, what would you charge them?	2 going, and I find your flyer at the front desk, and I
3	A. I will send a town car to pick them up.	3 call Brar and say, Hey, I'd like to get a trip to
4	Q. And what do you charge them?	4 downtown on your flat rate, are you saying that you
5	A. The flat rate, 40 to \$45 that everybody charge	5 would not transport me for \$15 on an individual fare
б	in Seattle, the taxi even 40 to \$45. I will charge them	6 basis?
7	\$45 too. If they if they do go to the Pier 66, I	7 A. If you are individual, I will because that's the
8	will charge them 40 to 45. If they go to Pier 91, I	8 why you bring me here. If you are one person, suppose
9	will charge them 55 to \$60 in a town car.	9 you call me from Red Roof Inn what is your name?
10	Q. So my only real question that I'm trying to get	10 Q. My name is Blair Fassburg.
11	at is when people are making a reservation with you	11 A. I am Blair, party of two, we want to go to
12	based on the number of people, are you charging them per	12 the we want to go to the cruise terminal, party of
13	person?	13 two, \$30, \$15 each, 30.
14	A. No, if they tell me SUV, no, it's not.	14 Q. Now, what if at the same time someone else
15	Q. So my question was a little different than that,	15 called you and said the same thing, what would you have
16	so maybe I can make this more clear.	16 done then?
17	When the Red Roof Inn calls you and says, We	A. Two people, same. You have to you don't
18	have six people to be transported, do you charge them	18 specify how many people you have.
19	per person?	19 Q. No, I called you and at the same time someone
20	A. No, with the car, \$65 a car. That means a car	20 else called you.
21	is going, not per person, a car. That's where the	21 A. Two people, yeah.
22	people save the money right there. Because if I charge	22 Q. Two people. Two people who don't
23	\$90, that six people becomes \$90, and I'll be getting a	23 A. \$15 each.
24	discount for \$65 only. So they are going like six	24 Q. \$15 each?
25	people going for \$65 to go to the pier. Why do you have	25 A. Yeah.
1	Page 54	Page 56
1 2	to pay \$90 to go in a circle? Who is so stupid in this world?	1 Q. Even if it's on your town car or limousine? 2 A. How come I take the town car to all the way
3	Q. Now, if someone from the Red Roof Inn calls you	3 there for \$30 for the thing?
4	and says, I have your flyer that says \$15 to cruise	4 Q. Okay. So if I call you from the Red Roof Inn
5	terminals, flat rate to downtown \$15 per person one way.	5 and say, I'd like to use your flat fare service to
6	A. Yeah.	6 downtown and someone who isn't me who I don't know at
7	Q. You're saying you're not going to charge them	7 the same time makes the same request, what vehicle do
8	that price?	8 you use to transport us from the Red Roof Inn to
9	A. \$15?	9 downtown?
10	Q. Right.	10 A. Your whole question is there, but you're not
11	A. Yeah, when it's a shuttle, that's the thing I	11 telling me every time how many people will be in your
12	told them that I did by mistake. I charge them \$15 for	12 group.
13	the shuttle service.	13 Q. I am one person, there's one other person.
14	Q. That's what I'm trying to get at. When does	14 A. Okay. Two people, so \$15 each.
15	this \$15 per person apply?	15 Q. Right, and what vehicle?
16	A. When we do the shuttle like we pick up like nine	16 A. In the big bus.
17	people, ten people, 12 people, 15 people. When you pick	17 Q. So you're going to take us in the big bus?
18	up these people in the bus, then it applies because	18 A. Yeah, take you in the big bus.
19	people come and tell us, Hey, we have six people. On	19 Q. Okay. So what you're saying is
20	the Google, you have \$75 taking the people there to \$65,	A. I will take you in the big bus if there is seven
21	can you beat the price for Google or Uber, and then we	or eight or ten people that happen. If there is only
22	send them an SUV for \$70 or \$65 to the thing.	two people, I did myself twice, five times where there's
23	Q. So	23 only two people in the lobby and they doing for \$15
24	A. Then we don't charge them \$15 a person.	24 each, their group, I charge them \$30 because now I have
25	Q. So if I were a guest at the Red Roof Inn and it	25 to maintain the thing. I took them for \$30 from from

14 (Pages 53 to 56)

	Dago 57	Page 59
	Page 57	
1	the from the from the hotel to the Pier 66 and 91	1 don't have no lawyer or anything sitting with me, and
2	because they tell everybody you have to provide the	2 you guys have very educated guy sitting in front of
3	service, and that's I did a couple of times. I lost	3 my thing. And holding this is my first time ever
4	from my pocket. I suppose to charge them 60, and I	4 holding some big thing, and if you make it simple, I
5	didn't want to charge 60.	 5 will answer you. 6 Q. Okay. You know. maybe I can back this up a
6	And couple of time I didn't get the bus. They	
7	call Seattle Express, they give them a service too.	
8	They call Seattle Express. Hey, we have four people, he	
9 10	cannot do it. Because sometimes two people what I even make to go to the and they say, No, you guys have to	 9 your books, the way we know which times were transported 10 on shuttle were based on a number of people. But now it
11	do it, then I send a town car. I don't make no money.	11 sounds as though the shuttle was provided regularly and
12	Sometimes in the business, you don't think about the	12 it didn't matter how many people were on the trip; is
13	money all the time. You have to think the customers,	13 that right?
14	the first choice. So I could have charged you \$60 from	14 A. No, it's not. The bus was not used, not at all.
15	the airport, but I'm charging only \$30 and that happens	15 Q. The bus was never used?
16	once in a blue moon.	16 A. No, used three or four times. I told her.
17	Q. So my question was a little different, and I	17 Q. Okay.
18	just want to make sure I understand clearly. If	18 A. Not every time. See, you want to catch me for
19	again, I'm going to go back to the question	19 my English mistake right here. I told her before we
20	A. See, you are a lawyer and what you call you	²⁰ used couple of times the busses, three, four times, no
21	know, I am just a simple person, but if you tell me in a	21 more than that in the whole season of five months
22	very simple simple word, I will give you the answer	22 period.
23	correctly.	23 Q. And how can we know looking at your books how
24	JUDGE PEARSON: I'm going to jump in and	24 many times you used the bus?
25	help out. I think what Mr. Fassburg is getting at is he	A. How come you know I rely after sometimes going
	Page 58	Page 60
1	2	
1 2	wants to know if you are providing if you ever use a	
	2	1 to the SeaTac right now, I can make an exit. How can
2	wants to know if you are providing if you ever use a vehicle other than the bus to transport unrelated	 to the SeaTac right now, I can make an exit. How can you predict the future or the past?
2 3	wants to know if you are providing if you ever use a vehicle other than the bus to transport unrelated parties on the scheduled service from hotel to	 to the SeaTac right now, I can make an exit. How can you predict the future or the past? Q. I want to understand based on your records how
2 3 4	wants to know if you are providing if you ever use a vehicle other than the bus to transport unrelated parties on the scheduled service from hotel to MR. BRAR: No, I said no, I didn't. I	 to the SeaTac right now, I can make an exit. How can you predict the future or the past? Q. I want to understand based on your records how we can determine in the past
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15 (Pages 57 to 60)

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1		
1	How come you just did for one day?	1 person. I have no certains. I tell them exactly like
2	Q. I think the answer to that question is because	2 this, n-o, no.
3	my client had to pay to use your service, and they	3 Q. Okay. Now, if
4	weren't interested to pay to use your service every	4 A. Because
5	Friday, Saturday, and Sunday throughout the season.	5 Q. If instead let me ask the next question.
6	My question to you	6 A. Ask me what kind of vehicle, let me speak. You
7	A. No, no	7 are going too fast. I have nothing in front of me. If
8	Q. I ask the questions	 8 somebody comes and tells me, I'm going to Pikes Market 9 at 1 o'clock, 2 o'clock, and I want and I tell him
9 10	A. No, no JUDGE PEARSON: Hold on. One at a time.	
11	A. If he have use the service going to the Pier 66,	 n-o, no. I cannot. Take a taxi or take a light rail because what I will so I did only one at 11:00 a.m.,
12	Rogers, how come he didn't take the service back from	12 nothing else. Only 11:00 a.m., that's it. Nothing else
13	there because I don't provide service coming back.	13 at all. Zero.
14	JUDGE PEARSON: Okay. Mr. Brar, let	14 Q. Now, when you were coordinating to provide
15	Mr. Fassburg ask you the question, okay?	15 service with the Red Roof Inn, is it the Red Roof Inn
16	MR. BRAR: Okay.	16 who actually makes the call to you specifically to say
17	BY MR. FASSBURG:	17 we've got a group?
18	Q. So I think if I understand the answer to the	18 A. No, the customer also do it.
19	question I asked, is we can't because there's nothing in	19 Q. But the Red Roof Inn does do that, correct?
20	your book that tells us about the category of vehicle	20 A. No, Red Roof, customer also does that.
21	that was used; is that right?	21 Sometimes it's the customer on the phone, they tell us,
22	A. No, it tells you, SUV, town car, tells me	Hey, you can, you know, do that too. Customer do that.
23	sometimes, yeah, in the books. I write on the books	23 Q. Okay. So I think you're agreeing that yes, the
24	that tells you five people, send SUV; six people, send	24 Red Roof Inn does call you?
25	SUV; town car, send SUV. Three to four times I used the	A. Yeah, they call me because I they call me for
		· · · · · · · · · · · · · · · · · · ·
	Page 62	Page 64
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16 (Pages 61 to 64)

	Page 65	Page 67
1	recess.	1 business as the small, middle man guy. So middle class
2	(Pause in the proceedings.)	2 guy. Small middle class guy.
3	JUDGE PEARSON: We will be back on the	³ Q. My question, again, is a little different than
4	record.	4 what you're answering, and I just want to make sure I
5	BY MR. FASSBURG:	5 understand.
6	Q. Mr. Brar?	6 When your record for August 12th indicated
7	A. Yes, sir.	7 Sonnes was the passengers, you're saying that would have
8	Q. Within your notebook, I'm going to hand to you	8 also included Michael Rogers, an unrelated passenger?
9	the book page for August 12th, the date that Mr. Rogers	9 A. Yeah, that was in the bus, not in the SUV. That
10	took the trip.	10 was the bus. That's why that's so many people in the
11	A. Okay.	11 lobby, 18 or 20 or 22 people happen, then we use the
12	Q. What's the name there on that reservation?	12 bus. If Sonnes had not Rogers had not gone with
13	A. Sonnes, Sonnes, S-o-n-n-e-s.	13 Sonnes because Sonnes had to the to the I don't
14	Q. Is Mr. Rogers indicated on there?	14 think your name Rogers, out of the car here. We are
15	A. No.	just going in the SUV because here people people
16	Q. So that was one group of related passengers that	16 would tell them, okay, let's go now and extra people can
17	included Sonnes and Mr. Rogers?	17 take the shuttle.
18	A. One more time. Let me give you answer too.	18Some people are happy to. Not everybody is
19	When somebody people call us like how you started with	¹⁹ like, oh, one guy, let him sit down with me, no problem.
20	the thing that when Rogers came in at 10:45, we tell	20 People take people take care of each other too. I
21	them, Hey, come in the lobby, come in the lobby at	21 can't tell that everybody is bad. Once in a blue moon,
22	10:45. And that's the moment where people come at 10:45	but that never happened. People say, Okay, he's one
23	that we know how many people are going to the cruise	23 guy. He can ride with us if he has to, but that never
24	line. That's the time we use the big bus because my bus	happened. That never happened. And whenever we use the bus, whenever we use the bus I want to ask you one
25	is my house is only blocks from that hotel. Some	25 bus, whenever we use the bus I want to ask you one
	Page 66	Page 68
1	people show up in the lobby and then they tell us, Hey,	1 question. How many people you think that Red Roof
2	this much we are. We have extra people. That is the	2 people go to the cruise line?
3	time we used the big busses to take the people there.	3 Q. So Mr. Brar
4	Q. So it was only when Mr. Rogers took your bus	4 A. Give me the answer.
5	that you used the van because there was extra people on	5 Q my question was a little different from
6	one occasion; is that your testimony?	6 everything you said
7	A. Because on the a lot of people waiting for	7 JUDGE PEARSON: I'm not sure exactly where
8	taxis, too, sometimes right there, and the taxis don't	8 you're going with this.
9	show up, right? Taxis don't show up. A lot of people	9 A. Yeah
10	have noted the reason they come in the lobby because	10 JUDGE PEARSON: I feel that
11	they see at 11:00 a.m. the flyer, they come in the lobby	11 Hold on, Mr. Brar.
12	and, hey, how many people we are. This is here, eight	12 we have an admission from him. We know
13	people, ten people, four people, and whatever is left	13 that this conduct occurred. The number of times it
14	over, okay, we will take to the bus because there's 20	14 occurred isn't relevant for this proceeding today.
15	people. Let's take it to the bus. And plus, I told you we are not so big companies	15 MR. FASSBURG: It may not be, Your Honor,
16		16 and I think the result may not be entirely different. I
17 18	that you want to every single trips or how many people we picked up. If I have done that, if I have	 don't mind getting to the conclusion for Mr. Brar. His records are obviously not accurate, and I think he is
18 19	known that this will be a problem for me to pick up with	 records are obviously not accurate, and I think he is not providing accurate testimony about what those
20	the small hotel, I could have never done it. If it	20 records reflect. I think there is something more to
21	needs a Beeline for 200, 250 people to give him, give me	 this that he isn't letting on about, he's unwilling to
22	like two, three months. Whatever groups I get, 20, 25	 admit. He's admitting he's providing auto
23	like individual group, not I can give him that	 transportation service, but he's denying the frequency
24	business too, take that too. If that makes them happy,	24 with which he's actually doing it, the regularity with
25	but we are not so big company. We are just doing the	which he's doing it, and the number of passengers he's

17 (Pages 65 to 68)

Page 69 Page 71 actually transporting. 1 MR. BRAR: No problem. JUDGE PEARSON: And that is understood; 3 assume no eligication? assume no eligication? 3 matter JUDGE PEARSON: It's not something that you know, you darch have discovery rules available to you know, you darch have not angae in the conduct 3 11 alleged in the complaint. He has admitted to that, and and scope of that conduct. 11 13 steps to take next as far as investigating the breath and scope of that conduct. 14 14 motters is doming to hide from - turthfully, that I don't think ho's fassing up to posacity what he's done. 20 22 MR. BRAR: And plus, what we's load, the season started and - and they will get all their answer themewers. So there's nothing to hide from - dotherwise I could have been a wery rich guy if there was a dot obusines and now go abed. You guy serv. You guys will check it out not season ming up. May mas with me scope here avery rich guy if there was a dot on busines and now go abed. You guy serv. You guys will check it out not season more more, save in the records here a very rich guy if there was a dot on you feel, howe are reput which, the save and mode were therecomplexe				
2 JUDGE PEARSON: And that is understood; JUDGE PEARSON: And that is understood; 3 however, that is a task for Commission Staff to look assume no objection? 4 into. MR. FASSBURG: 1 understand. JUDGE PEARSON: No objection. 9 Object PEARSON: 1t's not something that u- well, if there's nothing else, thank yous on unch for 9 oblained on your own. So for our purposes today, what nates is did he or dif he not engage in the conduct. nates is did he or dif he not engage in the complaint. 11 alleged in the complaint. He has admitted to that, and 11 12 them iv will be up to the Commission to decide what 12 13 and scope of that conduct. 14 14 and scope of that conduct. 15 15 Turkink he's fessing up to 16 16 Turkink he's fessing up to 20 21 JUDGE PEARSON: Understood. 21 22 season is coming up, again the nets season will come up, again the reast season will come up a beak. You y you will know some answer themselves when the new 23 23 season stand and		Page 69		Page 71
3 however, that is a task for Commission Staff to look assume no objection? 4 into. MR_FASSBURG: Inderstand. JUDGE PEARSON: It's not something that	1	actually transporting.	1	
4 into. MR. FASSBURG: 1 understand. JUDGE PEARSON: It is not something that 7 you know, you didn't have discovery rules available to JUDGE PEARSON: We will adjourn and be off the record. 9 obtained on your own. So for our purposes today, what 1 11 alleged in the complaint. He has admitted to that, and 1 12 then will be up to the Commission to decide what 10 13 steps to take next as far as investigating the breath 11 14 and scope of that conduct. 16 15 JUDGE PEARSON: Understand, Your Honor. 15 16 Itrihinkly, that I don't think he's fessing up to 10 20 exactly what he's done. 20 21 JUDGE PEARSON: Understand, Your Honor. 16 18 testimony what exactly he's doing, and the 18 21 JUDGE PEARSON: Understand, Your Honor. 17 18 testimony what exactly he's doing, and the 18 22 MR. FASSBURG: Think he's fessing up to 20 23 season is coming up, again the next season will come up, 23 24 season is don'- and they will got all their answer 24<	2	JUDGE PEARSON: And that is understood;	2	JUDGE PEARSON: Okay. And, Mr. Fassburg, I
5 MR. FASSBURG: Lunderstand. 5 JUDGE PEARSON: t's not something that 6 you know, you didn't have discovery rules available to you here. It wasn't something that you could have obtained on you own. So for our purposes today, what 6 10 matters is did he or did he not engage in the conduct 10 11 alleged in the compliant. He has admitted to that, and 11 12 then if will be up to the Commission to decide what 12 13 steps to take next as far as investigating the breath 13 14 and scope of that conduct. 14 15 It think my point has been well made at this point. 16 16 transmov what exactly he's doing, and the 18 17 ijust wanted to ty to establish through his inconsistent 17 18 truthfully, that I don't think he's fessing up to 19 22 MR. BRAR: And plus, whatever I said, the 20 23 season sic coming up, again the next season will come up, 21 24 Beeline will go and check it out, how many people in a 24 25 small motel can come out, and the new 23 26 save the ensed were in the new 24 27 C E R T I F I C A T E 38 started and - and thy will at Hair answer 23 <	3	however, that is a task for Commission Staff to look	3	assume no objection?
6 JUDGE PEARSON: Its not something that - 6 Well, if there's nothing less, hank you so much for coming today, and we will adjourn and be off the record. 7 you know, you din't have discovery rules available to you here. It wasn't something that you could have obtained on your own. So for our purposes today, what in the mathematication of the not engage in the conduct. 7 11 alleged in the complaint. He has admitted to that, and and scope of that conduct. 10 12 then is will be up to the Commission to decide what and scope of that conduct. 11 13 and scope of that conduct. 12 14 and scope of that conduct. 14 15 therine will be up to the Commission to the incomplaint. I is used to try to establish through this inconsistent 14 16 testimony what levid done. 20 17 just wanted to try to establish through the next season will come up, season is coming up, again the next season on will come up, asses on stared and and they will have - 23 25 Fage 70 Page 72 18 they will have some answer themselves when the new season stared and and they will have - 25 19 then we come to the commission again next November and saw in the records there was this much papie we had, you will know. 35 10 they will have some anye	4	into.	4	MR. FASSBURG: No objection.
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25 okay with you, Mr. Brar? 25				

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