

**Docket No. TV-220321 - Vol. I**

**In the Matter of the Investigation of: Superheroes  
Moving and Storage LLC**

**June 23, 2022**



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BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Investigation      DOCKET NO. TV-220321  
of SUPERHEROES MOVING AND  
STORAGE LLC

For Compliance with  
WAC 480-15-530, WAC 480-15-550,  
WAC 480-15-555, WAC 480-15-560,  
and WAC 480-15-570

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VIDEOCONFERENCE EVIDENTIARY HEARING BEFORE  
ADMINISTRATIVE LAW JUDGE

RAYNE PEARSON

Volume I

Pages 1 - 10

June 23, 2022

9:31 a.m.

REPORTED BY:      CRYSTAL R. McAULIFFE, RPR, CCR, #2121

1 REMOTE APPEARANCES

2 ADMINISTRATIVE LAW JUDGE:

3 RAYNE PEARSON  
4 Utilities and Transportation Commission  
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9 FOR SUPERHEROS MOVING AND STORAGE, LLC:

10 RYAN DOHERTY  
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13 (253) 328-1012  
14 Owner@superheroesmoving.com

15 FOR COMMISSION STAFF:

16 JEFF ROBERSON  
17 OFFICE OF THE ATTORNEY GENERAL  
18 Utilities and Transportation Commission  
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22 ALSO PRESENT: Jason Sharp, UTC  
23 Ryan Smith, UTC  
24 Tracy Cobile, UTC

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1           THE COURT: All right. Let's be on the  
2 record in docket TV-220321, which is captioned "In the  
3 Matter of the Investigation of Superheroes Moving and  
4 Storage, LLC, for Compliance with Washington  
5 Administrative Code 480-15."

6           Today is Thursday, June 23rd, 2022, at  
7 9:30 a.m. And we're here for a prehearing conference to  
8 discuss the status of the company's Safety and  
9 Management Plan. And the settlement negotiations or  
10 planned settlement negotiations and any other procedural  
11 issues.

12           My name is Rayne Pearson. I use she/her  
13 pronouns and I'm the Administrative Law Judge presiding  
14 over this case.

15           So let's begin by taking appearances.  
16 Beginning with staff, please state your name, spell your  
17 last name for the court reporter. Feel free to share  
18 your pronouns and let us know who you represent.

19           Mr. Roberson?

20           MR. ROBERSON: Good morning, Judge Pearson.  
21 My name is Jeff Roberson, R-o-b-e-r-s-o-n. I'm an  
22 Assistant Attorney General appearing on behalf of  
23 Commission Staff. My contact information is on file in  
24 the complaint in this docket. And I use he/him  
25 pronouns.

1 THE COURT: Okay. Thank you.

2 And for the company, Ryan Doherty, if you  
3 could, in addition to giving your first and last name  
4 and spelling your last name, also provide your address,  
5 your phone number, and your email address.

6 MR. DOHERTY: I'm sorry. So you just need  
7 the address and phone number?

8 THE COURT: And your email.

9 MR. DOHERTY: Email. I think the one that  
10 you guys you have on file is "owner@superherosmoving."  
11 It is either that or "ryanscott@superherosmoving."

12 THE COURT: Okay. Let's start with your  
13 name.

14 MR. DOHERTY: My name? It's Ryan Doherty.

15 THE COURT: Okay. And you represent the  
16 company.

17 Are you the owner of the company?

18 MR. DOHERTY: Yes, that's right, I'm the  
19 owner of the company. Phone number: 253-306-7943.

20 Address: I'm at 507 --

21 Oh, you want my home address or you want the  
22 business address?

23 THE COURT: The business address, please.

24 MR. DOHERTY: Business address, that's 4630  
25 16th Street East, Suite B6, in Fife.

1 THE COURT: Great. Thank you.

2 And it doesn't look like there's anyone else  
3 who wishes to enter an appearance, but I will just ask  
4 anyway.

5 All right. Hearing nothing.

6 We do have an evidentiary hearing scheduled  
7 for July 7th at 9:30 a.m., which is two weeks from  
8 today.

9 So my first question for you, Mr. Doherty,  
10 is has the company filed its Safety Management Plan?

11 MR. DOHERTY: I have submitted it, but it  
12 still needs more revisions. I mean, I'm -- this isn't  
13 something I've done before. So I am -- I've -- I went  
14 through the entire audit review and went item by item  
15 and fixed everything that I could to the best of my  
16 ability. I would say about 95 percent I have  
17 accomplished all the items that were, you know -- you  
18 know, the -- the regulations that were broken or things  
19 that we weren't complying with, I fixed them all. Most  
20 of them. There's maybe just a -- you know, maybe two or  
21 three things where I'm still trying to work it out.  
22 Because I'm a new -- this is my first business and  
23 trying to even set it up to begin with is hard enough,  
24 trying to make it all work.

25 So I'm still working on it. But I did

1 submit it to Jason, what I currently have. All of the  
2 18 items and the review have been addressed. I think  
3 there's just maybe a few that need a little bit more  
4 further -- I have to work on it a little bit more to get  
5 them totally up to standards.

6 THE COURT: Okay. Great. So it sounds like  
7 you are working with staff to get that finalized.

8 MR. DOHERTY: Yeah.

9 THE COURT: Perfect. Okay.

10 And, Mr. Roberson, do the parties intend to  
11 engage in a settlement conference prior to the  
12 evidentiary hearing?

13 MR. ROBERSON: Assuming that there's a  
14 Compliance Safety Management Plan, staff is absolutely  
15 willing to negotiate. I think if there's no Safety  
16 Management Plan, we're going to hearing anyway and  
17 there's maybe no point to settlement negotiations.

18 THE COURT: Okay. So it sounds like that's  
19 still kind of TBD as the company continues to work with  
20 staff on refining its Safety Management Plan and getting  
21 it finalized.

22 Okay. Is there anything else that we need  
23 to address while we're here today?

24 MR. ROBERSON: Not from staff.

25 THE COURT: All right. And does the company

1 have any questions about what the evidentiary hearing  
2 will look like?

3 MR. DOHERTY: Well, yeah. What -- what  
4 exactly does that look like? I guess if you could  
5 explain to me -- so is it going to be similar to this or  
6 how does that work?

7 THE COURT: So typically, what will happen  
8 is staff will present its opening remarks and then it's  
9 kind of up to us, I guess, how we structure the hearing.  
10 I think usually staff goes first.

11 Is that right, Mr. Roberson, in these types  
12 of hearings?

13 MR. ROBERSON: It is; correct.

14 THE COURT: Okay. So staff will set out its  
15 case. You will have the opportunity to cross-examine  
16 staff's witnesses on the testimony that they provide.  
17 And then once that is complete, you will have an  
18 opportunity to testify and tell your side of the story,  
19 speak to the violations, give testimony as to why you  
20 believe any recommended penalties should be reduced, and  
21 then staff's attorney will have the opportunity to ask  
22 you questions and then I will allow both parties to make  
23 closing statements. But it will be pretty  
24 straightforward.

25 MR. DOHERTY: Okay.



1 THE COURT: And if you have any -- I think  
2 you probably won't have any additional evidence in  
3 addition to the safety management plan is my guess. So  
4 we should have everything that we need in the record,  
5 provided that the safety management plan is complete by  
6 that time.

7 But if you did have additional documents  
8 that you wanted to offer for whatever reason, we would  
9 entertain admitting those at that time. We would just  
10 need staff to have an opportunity to look at them and  
11 voice any objections if they had any, and then we would  
12 either admit them into the record or not.

13 But usually in these cases we're just  
14 looking at the contents of the Safety Management Plan,  
15 so I don't anticipate additional evidence being an  
16 issued.

17 MR. DOHERTY: Okay.

18 THE COURT: So it will be pretty  
19 straightforward.

20 MR. DOHERTY: Okay.

21 THE COURT: Okay.

22 MR. ROBERSON: Judge Pearson, I will  
23 actually say staff has an exhibit or two, but we will  
24 circulate those before the hearing.

25 THE COURT: Okay. Sounds good. All right.

1           If there's nothing else, then in lieu of  
2 entering a prehearing conference order, I'll just  
3 summarize for the record what we discussed here today.

4           The company and staff are continuing to work  
5 on finalizing the Safety Management Plan. And in the  
6 event that that gets finalized with enough time before  
7 the hearing, it sounds like the parties may engage in  
8 settlement negotiations. If not, then we'll address the  
9 status of the Safety Management Plan at the hearing,  
10 which is two weeks from today on July 7th at 9:30 a.m.

11           Does that sound correct?

12           MR. DOHERTY: Okay.

13           THE COURT: All right. Well, anything else?

14           MR. DOHERTY: No.

15           THE COURT: Okay. Hearing nothing. Thank  
16 you all for coming today. And we are adjourned.

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18                           (Hearing adjourned at 9:39 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON )  
  ) ss.  
COUNTY OF KITSAP     )

I, CRYSTAL R. McaULIFFE, a Certified Court Reporter in and for the State of Washington, do hereby certify that the foregoing transcript of the videoconference hearing on JUNE 23, 2022, is true and accurate to the best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11th day of July, 2022.

*Crystal McAuliffe*

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CRYSTAL R. McaULIFFE, RPR, CCR #2121