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BEFORE THE WASHINGTON STATE

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UTILITIES AND TRANSPORTATION COMMISSION

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4 In the Matter of the Application of)

5 ORACLE MARKETING, INC. d/b/a)

6 GREAT AMERICAN MOVING &) Docket TV-120766

7 STORAGE) Page 1-81

8 for a permit to operate as a motor)

9 carrier of household goods.)

10

11

BRIEF ADJUDICATIVE PROCEEDING, VOLUME I

12

Pages 1-81

13

ADMINISTRATIVE LAW JUDGE ADAM E. TOREM

14

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1:33 P.M.

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OCTOBER 8, 2012

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Washington Utilities and Transportation Commission

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COMMISSION STAFF WITNESS:

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RAYNE PEARSON:

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Memorandum from Sharon Wallace to David Pratt, dated July 3, 2012, regarding "Commission Staff's Response to Application for Household Goods Moving Company permit for Oracle Marketing d/b/a Oracle Marketing Inc., Docket TV-120766," with appendices

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Printout from Washington Secretary of State's office: Corporate registration of Oracle Marketing Inc.

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Printout form California Secretary of State's office: corporate registration of Oracle Marketing Inc.

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JOE ILJAS

12 11

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California PUC Household Goods Carrier Examination Report and application, dated April 6, 2009, listing Chana E. Green as applicant and Chani Green as examinee

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City Transport Payroll Records for Channi Green provided in response to a notice from the California PUC to appear and produce documents

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OLYMPIA, WASHINGTON, OCTOBER 8, 2012

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1:33 P.M.

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P R O C E E D I N G S

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JUDGE TOREM: Well, let's be on the record, then.

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It is Monday afternoon, October the 8th, 2012. It's

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a little after 1:30 in the afternoon.

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This is Docket TV-120766. This is about the

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application of Oracle Marketing, Incorporated, and they do

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business as Great American Moving & Storage.

12

Appearing for Commission Staff?

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MS. CAMERON-RULKOWSKI: Jennifer Cameron-Rulkowski,

14

Assistant Attorney General. My address is 1400 South Evergreen

15

Park Drive Southwest, Olympia, 98504-7250. My telephone number

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is 360.664.1186; my fax number is 360.586.5522; and my e-mail

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address is jcameron@utc.wa.gov.

18

JUDGE TOREM: All right. And also present

19

representing the Respondent, Oracle Marketing, is Ms. Chana

20

Green; is that right?

21

MS. GREEN: Yes.

22

JUDGE TOREM: And if you can go ahead and provide

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contact information so we have it in the record.

24

MS. GREEN: Yeah. The address is 1826 112th Street

25

East, Suite D, Tacoma, Washington 98445. And telephone number

0006

1 is 206.855.5479, and my e-mail address is chanigreen --
2 c-h-a-n-i-g-r-e-e-n -- at yahoo.com.

3 JUDGE TOREM: Okay. So let me explain how today's
4 proceeding is going to work. My understanding is this is all
5 before me based on a notice that was sent out July the 19th by
6 the Commission of an intention to deny Ms. Green's application
7 for permanent authority as a household goods carrier. She
8 responded to that notice, which laid out a number of
9 allegations, which I'm sure the witness testimony will get into
10 today, indicated that she would like to dispute some of the
11 references to her company history, and have an opportunity to
12 state why she should be eligible to get this permit.

13 So the question for me today is going to be what does
14 the evidence show? We'll see what you have to say about the
15 Commission's notice.

16 If you call any witnesses, you'll have an opportunity
17 to have them testify or yourself.

18 Ms. Cameron-Rulkowski is the attorney who will
19 cross-examine, or at least have the opportunity to cross-examine
20 any testimony you put forward.

21 This is a brief adjudication, so it's sort of formal
22 like a hearing. And it will have most of trappings of a full
23 hearing today, but it's designed to really just get to the heart
24 of the matter and not have a parade of witnesses or documents.

25 Now, you can turn in documents. There was a deadline

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1 to do that, and Ms. Cameron-Rulkowski put together a set of
2 documents.

3 Do you have those in front of you?

4 MS. GREEN: Yeah, I looked at them.

5 JUDGE TOREM: Okay. So she'll be offering those
6 through witnesses.

7 What I want to do today is go over the documents,
8 make sure I understand, and that you have each one of them.
9 Then I'll have Ms. Cameron-Rulkowski state the factual basis for
10 the notice that went out just in summary form, and that will
11 make sure we're all on the same page.

12 Then I'll take your sworn testimony, and any other
13 witnesses that you might be calling. And then we'll get to the
14 Staff witnesses, which I think will be Ms. Pearson and Mr. Iljas
15 on the telephone.

16 MS. GREEN: Okay.

17 JUDGE TOREM: When we get done with that --
18 hopefully, take about an hour's time -- I'll give you both an
19 opportunity for any closing comments. Then I have ten days to
20 issue a written decision, so, hopefully, I'll have that done
21 shorter than that and by this time next week, you should be
22 reading a decision that tells you whether the Commission is
23 being upheld or overturned and being directed to further process
24 your case.

25 MS. GREEN: Okay.

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1 JUDGE TOREM: Any questions about the agenda?

2 MS. CAMERON-RULKOWSKI: No, Your Honor.

3 JUDGE TOREM: Okay. Then let's go through the
4 documents.

5 Ms. Cameron-Rulkowski, if you can identify them for
6 the record?

7 MS. CAMERON-RULKOWSKI: The first document -- do you
8 want me to give -- the description is written here.

9 What would you like to hear about them?

10 JUDGE TOREM: Well, let me just go quickly through
11 them.

12 You've identified the first seven without a witness,
13 so I anticipate those are documents the Commission already has
14 in its file?

15 MS. CAMERON-RULKOWSKI: That is correct, with the
16 exception of the printout of the California Public Utility Code
17 Section 5135, which is printed out from an official California
18 State legislative information website, and I'll -- we'll be
19 asking to have that document admitted. I'll be asking you to
20 take official notice of that document.

21 JUDGE TOREM: All right.

22 What that means, Ms. Green, is that this document,
23 No. 6, from the California PUC, is a code or something that
24 someone need not testify to. It's been an adopted law, or in
25 this case, a rule, apparently, in some other jurisdiction, and

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1 I'm being asked to take a look at that.

2 If you object in some way, you should let me know
3 now.

4 MS. GREEN: I didn't really read through this rule.
5 I do -- when my turn comes to, you know, testify and tell you
6 what I have about this whole situation, I'm going to probably
7 also mention this, not specifically in words, but the whole
8 situation.

9 JUDGE TOREM: Okay. Well, it appears that these
10 other documents -- your application, the order dismissing it,
11 the actual permit that you filed in another docket, and an
12 amended application and then its dismissal -- are all within the
13 Commission's files, and I would be able to reference those. The
14 PUC printout is the sort of thing that we can take official
15 notice of under our administrative code provisions.

16 And the notice that I referred to, the July 19th
17 notice, of course, is the basis for the case, so I'll admit all
18 of those at this time. I think what we'll have to do is
19 renumber them as exhibits.

20 Are you going to be submitting any documentary
21 exhibits?

22 MS. GREEN: No, I don't have any --

23 JUDGE TOREM: And you don't have to.

24 MS. GREEN: -- documents to submit. No, I know.

25 JUDGE TOREM: Your application very well may be what

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1 you would have submitted --

2 MS. GREEN: Yeah.

3 JUDGE TOREM: -- and we've covered that.

4 So, Ms. Cameron-Rulkowski, what I'll recommend is we
5 keep those documents as Exhibits 1 through 7, and just start
6 numbering in order thereafter. Rather than attaching any of the
7 formal witness initials and things, we'll just keep going in a
8 numerical sequence.

9 So the next one that would be No. 8 and 9 and 10
10 appear already to be introduced through your witness
11 Ms. Pearson?

12 MS. CAMERON-RULKOWSKI: That's correct, Your Honor.

13 JUDGE TOREM: Okay. So, Ms. Green, have you had a
14 chance to look at those three exhibits as well?

15 MS. GREEN: I didn't have a chance to look at this.
16 Wait. Yeah, I did. I did get it in my e-mail, and I did read
17 it, yes.

18 JUDGE TOREM: Okay. For these kinds of documents,
19 you can object if they're -- if you think they're irrelevant or
20 if they contain material that just shouldn't be considered in
21 your case. It's something -- the best way to put it is it's
22 unfair for the Commission to be putting this forward.

23 MS. GREEN: So would this be my time to respond to
24 any of the --

25 JUDGE TOREM: I just -- I wonder if --

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1 MS. GREEN: -- allegations that are...

2 JUDGE TOREM: No. You don't have to tell me why. It
3 may be that I need to consider them --

4 MS. GREEN: Oh, okay.

5 JUDGE TOREM: -- and then hear your side of the
6 story.

7 MS. GREEN: Yeah. Okay. So I do have my side of the
8 story for you.

9 JUDGE TOREM: Okay. But as the documents, per se, I
10 know you might object to their contents.

11 Do you object to me admitting them for consideration
12 so I can hear the Commission's side of the story?

13 MS. GREEN: Oh, no.

14 JUDGE TOREM: Okay.

15 MS. GREEN: I don't.

16 JUDGE TOREM: So I anticipate those will be admitted,
17 and we'll have Ms. Pearson introduce each of those. That will
18 be Exhibits 8, 9, and 10.

19 MS. GREEN: Sure.

20 JUDGE TOREM: And Mr. Iljas will have Exhibits, it
21 looks like, 11 and 12. And those are the last two on the list,
22 and I think that looks like all of the exhibits.

23 Have you had a chance to look at those as well?

24 MS. GREEN: Yes, I did.

25 JUDGE TOREM: Okay. Well, at this time, then, I'm

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1 going to admit just 1 through 7. Those are the Commission's
2 documents and this one printout from the public utility code
3 section of the -- their regulations. And we'll have the
4 witnesses explain how they know this document and its contents
5 and then offer it in that more formalistic way.

6 (Exhibit Nos. 1 - 7 were admitted into the record.)

7 JUDGE TOREM: I think at this time, then, I want to
8 hear a brief summary of the case, and then we'll turn it over to
9 you be sworn in as a witness and tell me your side of things.

10 MS. GREEN: Okay.

11 JUDGE TOREM: Ms. Cameron-Rulkowski?

12 MS. CAMERON-RULKOWSKI: Thank you, Your Honor.

13 Based on the information that Staff has gathered,
14 Ms. Green appears to be and appears to have been associated with
15 moving companies that have been the subject of troubling
16 consumer complaints.

17 Specifically, Ms. Green is the president of Oral
18 [sic] Marketing, which does business as Great American Moving &
19 Storage. The Federal Motor Carrier Safety Administration's
20 Household Goods Program received 16 complaints for interstate
21 moves conducted by Great American Moving & Storage, and lists
22 issues, such as taking a customer's good hostage, that greatly
23 concerned Commission Staff.

24 Ms. Green's corporation also does or did business as
25 Olympic Van Lines. Commission Staff is aware of four Washington

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1 consumers who hired the company for interstate moves and were
2 informed midmove that they would need to pay an additional
3 amount to receive their belongings.

4 The Better Business Bureau reports that it has
5 received complaints from customers of Olympic Van Lines. The
6 business practices of the company, as described by the Better
7 Business Bureau, also are of serious concern to Commission
8 Staff.

9 Ms. Green was designated as the expert on regulatory
10 compliance at a company called "City Transport" in California.
11 This moving company did business as Mayflower Moving & Storage.
12 The Federal Motor Carrier Safety Administration's Household
13 Goods Program received 13 complaints for interstate moves
14 conducted by Mayflower Moving & Storage. Seven of the
15 complaints contained allegations that the company held the
16 customers' belongings hostage.

17 The California Public Utility Commission investigated
18 this company in 2009. As a result of the investigation, which
19 identified multiple violations of various state, statute, and
20 tariff provisions, the California Public Utility Commission
21 fined City Transport \$10,000 and directed the company to refund
22 approximately \$19,000 in overcharges to customers.

23 The California Public Utilities Commission ultimately
24 revoked City Transport's household goods permit November 20,
25 2010. Ms. Green stated on her permit application that she had

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1 never had a business-related legal proceeding against her in
2 Washington or any other state.

3 Given her position of responsibility with City
4 Transport, this statement appears to be disingenuous. These
5 allegations are set out with more detail in the notice of intent
6 to deny. Ms. Green has the burden to rebut these allegations.

7 JUDGE TOREM: All right. Thank you for the summary.

8 Ms. Green, I'm going to swear you in to give your
9 testimony.

10 Do you know: Are you calling anyone else?

11 MS. GREEN: No, it's just me.

12 JUDGE TOREM: Okay. I'm going to have you stand and
13 raise your right hand.

14

15 CHANA E. GREEN,

16 witness herein, having been first duly sworn on oath, was

17 examined and testified as follows:

18

19 JUDGE TOREM: All right. And you've already stated
20 your name. For the record, it's C-h-a-n-a; Green, G-r-e-e-n,
21 right?

22 THE WITNESS: E-e-n, yeah.

23 JUDGE TOREM: Okay. I'll just let you tell me things
24 in the best way you've got them organized.

25 THE WITNESS: Okay. I want to focus on a few. First

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1 of all, I just -- I want to say thank you for giving me the
2 opportunity to give my side of the story, and I want to talk
3 about the past -- what has happened when I was working with City
4 Transport -- I want to talk about what happened since, and what
5 I'm doing today with my company that's working in -- in
6 Washington now.

7 I'm not going to deny anything that was with City
8 Transport. I was the responsible -- you know, I had the
9 licenses and everything, but I could -- I want to say this:
10 When I started working with City Transport, I was young. I did
11 get their license. That's true. I was not fully aware. I
12 didn't really understand what -- the whole thing of the license
13 and the moving and everything that comes with it. I didn't
14 really fully understand it. I could tell you that.

15 And I also wasn't fully aware until Joe Iljas -- he
16 was one of the three people from the PUC -- got involved in the
17 whole situation what was happening with City Transport and the
18 complaints that they were getting and everything. I was not
19 fully aware of what was happening because I was working in the
20 office. I wasn't in charge of what was happening with the
21 customers, charging customers, all the con -- I wasn't doing
22 that part. It wasn't my company, and it wasn't my place to do
23 that.

24 And I guess I was just young and stupid to take that
25 responsibility on me without fully understanding it, and when

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1 the PUC started getting involved in the whole situation of the
2 company, I started getting more involved in what was really
3 going on because, apparently, there were a lot of complaints.
4 There was overcharges. There was complaints with the DOT, you
5 know, and then I started getting involved.

6 Joe would -- I was a lot in touch with Joe Iljas, and
7 he would explain to me what was happening with them, some of the
8 customers, what we were supposed to do, and stuff like that.
9 And then what happened with City Transport, they decided to go
10 their ways. And, you know, they were getting all these fines,
11 and they had all these complaints that they had to take care of,
12 and at that time, I decided that I wanted to open my own moving
13 company.

14 And this is after a lot of not only complaints, but a
15 lot of things that were -- I was supposed to take care of,
16 because it was my responsibility suddenly, and I -- it just fell
17 on me because there was nobody else to take that responsibility
18 on taking care of the customers.

19 And they closed the company. They stopped working.
20 And I decided already a few months before that that I wanted to
21 open my own moving company with a different partner, with
22 somebody else, nobody that has to do anything with, you know,
23 the owners of City Transport or anything like that. I just saw
24 a good opportunity because I have the -- you know, some
25 experience, although some of it wasn't such good experience, but

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1 I had some, and I saw an opportunity of opening, you know, my
2 own moving company.

3 And we started out in California. Our plan from the
4 beginning was to go up to Washington, and the reason being was
5 because it was just very hard in California -- a lot of
6 competition over there, a lot of companies -- and I just saw a
7 good opportunity in coming up to here. And I had a great
8 partner that, you know, was willing to come on the journey with
9 me, but we started out when we were in California. So we were
10 still booking a little bit of jobs over there, and the plan was
11 like, within a few months, to come up to here.

12 So all of that whole thing with City Transport, I
13 finished that chapter with them once I decided to move out and
14 do my own thing. And I don't remember how long after I started
15 doing, you know, long-distance moves from Washington. I don't
16 remember how long after that I -- I submitted an application. I
17 wasn't really aware of all the rules and laws about the, you
18 know, local moves. I was aware of what was happening in
19 California. I know there, there was the PUC. I wasn't really
20 aware of what was going on over here.

21 And at the time I was -- I opened my corporation in
22 California as C.E.G. Marketing, d/b/a Olympic Van Lines, and
23 because of the whole bad association that I was getting with
24 City Transport -- because they're -- you know, there was reviews
25 about Olympic Van Lines doings with C.E.G. Marketing, they

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1 connected me with City Transport. There was a few last
2 customers of City Transport at the time, and that was the time
3 when I opened my -- my corporation. And I guess there -- I
4 think there was one or two customers that associated them,
5 because I worked for that company. And my name is on the
6 corporation, it's out in the open, it's nowhere to be hidden, so
7 that association was made, and there was a lot of reviews put up
8 online.

9 And I was in Washington already. It was very hard
10 for me to get out of that association with that company. I
11 mean, I was trying to start my own thing and doing things
12 correctly and doing things, you know, in the right way, and it
13 was always going back to that City Transport and of the fine
14 that they have and everything that's on the website about
15 them -- on a few websites, PUC and reviews and that kind of
16 stuff -- and I decided to change my corporation name. I decided
17 to change my corporation name, and I decided to change my
18 company name not to get bad association with -- you know, and I
19 started doing work.

20 Before that you were saying that there was four --
21 there was -- I don't remember -- two customers or something from
22 Washington that we did a local move for, and that was before I
23 was aware that there was a special license for local moves in
24 Washington. And then I got a notice from the UTC that I'm not
25 supposed to do that, and I immediately -- you know, immediately

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1 I just, you know, cut that off. I did not know. And that's --
2 oh, and that was the time that I submitted my first application.

3 Now, the time that I submitted my first application
4 was when I was under C.E.G. Marketing, I wasn't aware exactly
5 how the licensing departments over here work because there's one
6 division that said C.E.G. Marketing, another division that I was
7 with my d/b/a. And when I got my letters of incorporation --
8 because I signed up here as a foreign corporation because I was
9 originally incorporated in California -- when I signed up over
10 here, I -- I guess it works over here you have a tradename, not
11 a d/b/a. And when I put it in, I put it in as C.E.G. Marketing.
12 And the first time it was -- it wasn't even -- it was rejected
13 because of the name. It wasn't even rejected because any of
14 these reasons. I just didn't submit the application correctly.
15 And this was right in the beginning, pretty much right in the
16 beginning when we just started to work in 2010.

17 So that was the first application that I submitted.
18 It was rejected. And I spoke to Tina from the licensing
19 department. She tried to explain to me how to change the
20 tradename, you know, to add the tradename on to the corporation,
21 and she tried to, you know, explain to me who to go to so I
22 could submit it again. And then I did. I submitted another
23 application maybe a few months later. And then I understood
24 that I -- I was still with the old name, with C.E.G. Marketing
25 and Olympic Van Lines, so I understood I had to put C.E.G.

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1 Marketing and Olympic Van Lines, and it still didn't work. She
2 did reject it again. And this is already at the time that we
3 moved up to Washington. We moved up to Washington. We got a
4 warehouse here in Tacoma. We were starting to get settled in
5 here, and, no, she told me it's still not good. You have to
6 resubmit it.

7 It's funny, because basically it all started with
8 just a mistake in how I, you know, submitted my application.
9 And then, you know, you guys went into depth of everything and
10 were like, Well, why C.E.G. Marketing, and why it was Olympic
11 Van Lines, and you found that I was actually a company from
12 California, not that I would ever try to hide it or anything
13 like that. I'm actually a foreign corporation here.

14 So -- and when you mentioned that I put "no" on
15 having legal -- I don't know what you called it, but like legal
16 actions against me or associated -- I wasn't aware there was any
17 legal actions taken against -- I know that the PUC was involved
18 with City Transport, but this wasn't, you know, personally to
19 me, so I didn't -- it wasn't that I was trying to deny it. I
20 mean, everything's out in the open. It's not -- I was not
21 trying to hide it. I was not trying to deny it. I was just
22 trying to -- when I did the name change, I was trying for my
23 sake in the business, you know, not to be associated with that
24 company because I knew they were having a lot of issues. And
25 that was towards the end when I was working with them. I don't

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1 know. It was like the last ten months or something before I
2 decided to open my company.

3 Now, I want to mention -- so that's what happened
4 basically. That's my history with the moving company. I -- you
5 know, I know that they weren't doing -- they weren't practicing
6 the moving business as they were supposed to. They're not
7 involved with me anymore. I'm not involved with them anymore.
8 And I -- I wish I knew better then. I really did. I wish I
9 knew better then. I learned a lot since then, and I learned a
10 lot since, you know, when I was going into my own moving
11 company.

12 And I'm just going to mention what is going on today
13 with our company. We do have complaints at the DOT. If we want
14 to go into the details of every complaint and speak about every
15 customer, I'm not. There's some -- some things that they're --
16 you know, that they're right about. There are some things that
17 they're not. It's not a place, you know, to argue about it,
18 whether they're right or not.

19 I can just say that if I do go into detail -- for
20 instance, one of the -- one of the last complaints that I got on
21 the DOT was from a customer that we moved from Washington to
22 Mississippi. The job was in transit, okay? It was in transit.
23 It already left. It was supposed to arrive in Mississippi in
24 three days.

25 She calls me hysterical telling me that her daughter

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1 is in the hospital and she can't have the things delivered to
2 Mississippi. If I could bring them back to Tacoma. Now,
3 really, that's a whole -- another move.

4 I told her, You know what? I'm going to do
5 everything I could to help you. I understand your situation.
6 I'm going to have the driver -- I'm going to make the driver
7 take it off in Texas, because he's there right now, to make it
8 cheaper for you, because we usually charge like \$800 for a
9 redelivery. I told her we're going to leave it down in Texas to
10 make it cheaper, and I told her we're going to charge you \$500
11 for that.

12 And I told her it's going to take some time till I
13 have another driver go into Texas, because we dropped it in the
14 middle of the way. And it took us another almost -- I'd say a
15 week and a half to two weeks to have another driver go past
16 there and come and deliver it to Washington.

17 In the meantime, she was having a fit because she
18 wanted her stuff, and she went to the DOT. She complained.
19 She complained about me, about things that had nothing to do
20 with the -- you know, with the move. She was just having a fit
21 that she didn't get her stuff when she wanted them.

22 And, listen. I don't have any control over that. I
23 have another complaint of a customer that got a binding quote
24 for \$5400. He paid half off of it and decided that he doesn't
25 want to pay the other half.

0023

1 Now, I put his stuff in a storage unit in North
2 Carolina. I can't deliver it to him for free.

3 Well, that customer goes ahead to the DOT website and
4 chooses the option that he has on the site to make a complaint.
5 One of the options is hostage.

6 Do I have control over what the customer is going to
7 put in the complaint, or that -- did he put all the information
8 of what actually happened in the move? No, I don't, but I could
9 say that any customer that went to the DOT, any customer that
10 went to the BBB, whatever complaint that I had, I took care of
11 every single customer. Every one of them. There's not one
12 complaint that's open.

13 You know what? And not even moneywise. Like, of
14 course, I did -- there's a lot of situations where I negotiated
15 and, you know, sometimes give money back. I gave this customer
16 practically a move for free going back and forth from Tacoma to
17 Mississippi and back for like \$1600. I lost money. But you
18 know what? I tried to make a -- you know, I tried to do
19 everything that that customer won't go ahead and complain, but
20 she did, and I have no control over that. But I did take care
21 of her. I did make sure to not have any of the complaints that
22 were submitted to the DOT or to the BBB. I answered every one
23 of them. I have paper proof for them. I -- you know, phone
24 calls, refunds, whatever it takes to make it right, but I really
25 don't have control over what customers do.

0024

1 Like -- I mean, customers that submitted complaints
2 as hostage, I never held a customer's stuff hostage. The most I
3 ever did was deliver a job into a Public Storage without getting
4 the balance paid, and the customer was then responsible to go
5 pick it up themselves. I never ever had a situation where I did
6 not deliver a customer's stuff, okay?

7 And, really, if we want to go into detail, there's a
8 lot for me to say about, you know, certain customers. There's
9 another complaint on the DOT site that's a customer that I never
10 even picked up. It was a customer that I delivered for a
11 company in California. I have no control over that.

12 There's many different things over there that I could
13 really, you know, point out and be -- it's a company that's
14 under investigation, I believe, in California. I just delivered
15 the customer, but she complained and -- because I was involved
16 in the move. I don't really have control over that.

17 But, again, I'm going to say -- and I'm emphasizing
18 it. I take care of all the customers, and I make sure -- and I
19 do everything to make it right. I can't satisfy everybody. The
20 BBB is something -- is another thing, you know, is another
21 platform for customers to put out their thoughts and their
22 feelings about their experiences.

23 Again, you know, I can't satisfy a hundred percent of
24 my customers. I try. I try very hard. I struggle a lot with
25 it. It's just a very hard industry. But I respond to

0025

1 everybody, and I try to get to negotiation with anybody.

2 You know, if it's damaged goods, you know, I'll try
3 to go out of my way and not only go with the, you know, the
4 simple claims department of returning 60 cents per pound per
5 article, you know, which is kind of a joke in a lot of
6 situations. I go out of my way, and a lot of times I return
7 money from the move. That stuff about the BBB.

8 And really that's -- that's basically what I'm
9 focusing on now is really giving good service to my customers.
10 I have -- I do so many moves. I only do long-distance moves
11 now, and -- I mean, the percentage of the -- if you look at the
12 percentage of the complaints compared to the amount of jobs that
13 I do, it's -- it's minor. It's not -- it's not nothing. I
14 mean -- and it's very, very important. That's why I do give a
15 lot of -- it's important to me, and I do -- I do take care of
16 it. And I forgot the word that I wanted to use in English.

17 I don't remember the word in English, but anyways,
18 what I'm saying is I'm not taking away from the complaints.
19 It's not that I'm saying, "Well, oh, look. You know, I'm doing
20 so many jobs. That's nothing."

21 It's not true, because if you look at all the BBB
22 complaints and if you go onto the site and see that every
23 complaint was responded to and -- you know, except for the site.
24 It's also taken care of in the office and phone calls and all
25 that kind of stuff. And also the DOT. All the complaints were

0026

1 answered. All the customers got their service. You know, if it
2 was that I had to lose money in some situations, unfortunately,
3 because the law is not -- is not there to protect me. It's
4 there to protect the consumer.

5 And you know what? Since then I -- I really practice
6 this a lot when I run into a situation where a customer --
7 because the customer sometimes uses this as a threat like, "Oh,
8 I'm going to go to the DOT," or "I'm going to the BBB," and
9 you -- and, unfortunately, you know, businesses run on website
10 reviews, and it's just like that today. And a lot of times
11 they'll keep that as a threat, and then I'm like, You know,
12 well, what could I do so you don't do that, and a lot of
13 situations that don't need the DOT involved. They don't need
14 the BBB involved. It's just because the customer wants to get
15 their way in some situation.

16 And, again, it's not all my complaints. I'm not
17 saying that that's all my complaints. There's some complaints
18 that I was really, you know, at fault, and I, you know, took
19 full responsibility for that.

20 And I had an audit. I had actually a few audits with
21 the DOT. They came, they checked my paperwork, they checked --
22 they checked everything, and we changed so much.

23 Like from the first audit that we had in the first
24 six months that we were working, you know, to the next one. And
25 we had one this year. We -- there was so much change that we

0027

1 did. Basically all the -- a lot of the complaints -- the bottom
2 line of it is that a lot of the complaints that got to that
3 situation of getting to the DOT was miscommunication, was not
4 notifying the customer of delays, stuff like that that actually
5 got the customer uptight and upset, got them upset enough to go
6 to the DOT. And that's where it kind of got out of hand, so
7 that's something that changed a lot. A lot.

8 I wish I did bring some, you know, good reviews, you
9 know, from good customers that are satisfied. And I wasn't -- I
10 just didn't think of having the opportunity to bring paperwork
11 and stuff like that. But there's plenty of customers that are
12 really happy with our service and satisfied.

13 And my plan for the future is to continue in
14 bettering ourselves and continuing to comply with the laws and
15 the regulations. And, you know, when I get into a situation
16 with the customer, now I'm the one that calls the DOT to get
17 their advice. I'm the one who calls and, you know, presents the
18 situation to get their advice, to see what I could do, because
19 they're not -- again, they're not there to protect me. They're
20 there to protect the customer. And whatever the customer goes
21 and puts on the DOT, I don't have control over. Whatever I have
22 control over, you know, I do take full responsibility for that.

23 And other than that, I think that giving me the
24 opportunity to, you know, get the license to do local moves over
25 here is -- first of all, I'm going to prove to you that -- and

0028

1 if you -- I'm going to prove to you that I did change and -- and
2 everything just works very, very different, and that, you know,
3 we could associate it with all the -- you know, the audits that
4 I had with the DOT, and they could prove it as well.

5 And -- I mean, it's -- I think -- I think that an
6 opportunity of getting the license would also bring good and
7 more healthy competition into the market and give job
8 opportunities to people because, you know, we're -- we're going
9 to be another place to work, and we treat our employees very
10 nicely.

11 And it just -- it would be a good opportunity for
12 everybody, I think. And the main thing I just want you to see
13 is that I learned a lot since I was with City Transport. I
14 wasn't aware of things when I was with City Transport. And --
15 and things just, you know, took a turn 180 degrees. I'm not the
16 same company that you see on the paper over here. It's -- our
17 practice is different. It really it is. So that's pretty much
18 what I have to say.

19 JUDGE TOREM: Okay. Thank you, Ms. Green. I've been
20 taking pretty detailed notes.

21 I'm going to give a chance to Ms. Cameron-Rulkowski
22 to ask you some questions about whatever she thought was
23 relevant.

24 THE WITNESS: Okay.

25 JUDGE TOREM: And so if you'll please answer her

0029

1 questions.

2 MS. GREEN: Sure.

3 MS. CAMERON-RULKOWSKI: Thank you, Your Honor.

4

5 C R O S S - E X A M I N A T I O N

6 BY MS. CAMERON-RULKOWSKI:

7 Q. Ms. Green, you're the president of Oral Marketing --

8 A. Yeah.

9 Q. -- correct? I'm sorry. Oral?

10 A. Oracle.

11 Q. Oracle Marketing?

12 A. Yes.

13 Q. And you are also the sole corporate officer of Oral
14 Marketing --

15 A. Yes.

16 Q. -- Oracle Marketing?

17 JUDGE TOREM: You will get that right.

18 MS. CAMERON-RULKOWSKI: I will. At least I'm not
19 calling it "Oracle Moving."

20 JUDGE TOREM: Right.

21 BY MS. CAMERON-RULKOWSKI:

22 Q. So in your application, you had attached several
23 statements of support?

24 A. (Witness nods head.)

25 Q. And I have a copy of the application right here in

0030

1 case you don't.

2 And I note that in couple of the statements, it
3 refers to Stanislav.

4 Who is Stanislav?

5 A. Stanislav is a very good friend of mine. He helps me
6 out with my moving company, and, basically, that's our
7 relationship. He helps me a lot. He helped me, you know, when
8 I came up to here, and -- and that's pretty much our
9 relationship.

10 JUDGE TOREM: Is there a last name?

11 THE WITNESS: Stanislav Skribnik, S-k-r-i-b-n-i-k.

12 BY MS. CAMERON-RULKOWSKI:

13 Q. And does Mr. Skribnik have any sort of formal
14 relationship with your corporation?

15 A. No.

16 Q. You mentioned that the corporation previously had
17 been called "C.E.G. Marketing," correct?

18 A. Yes.

19 Q. And does "C.E.G." stand for Chana Esther Green?

20 A. Yes, it does.

21 Q. Your company does business under the tradename Great
22 American Moving & Storage, correct?

23 A. Yes.

24 Q. And when did you start operating under that
25 tradename?

0031

1 A. I believe sometime in March. I don't remember the
2 exact date, but somewhere around March.

3 Q. In which year?

4 A. 2012.

5 Q. And were those operations in Washington State?

6 A. Only in Washington State, yes.

7 JUDGE TOREM: And this is the Great American Moving &
8 Storage tradename?

9 THE WITNESS: Yes. I think I had to actually re --
10 reapply or reinstate the corporation forms in California with
11 that name, but I'm not really involved. I don't do that. I
12 actually use a company that helps me submit it.

13 So I think that maybe they resubmitted it in
14 California as well, but for sure in California we're Oracle
15 Marketing, Inc.

16 BY MS. CAMERON-RULKOWSKI:

17 Q. And before March 2012, were you operating as Great
18 American Moving & Storage in any other state?

19 A. No, I don't think so.

20 Q. I'll ask you to refer, please, to Exhibit No. 8.

21 A. You know what? I'm not sure...

22 Q. And if you could turn to page 39, that's the page I'm
23 interested in.

24 A. Wait. Hang on. I don't think I'm on the right page.

25 Q. This is what the exhibit looks like (indicating).

0032

1 A. Okay.

2 Q. That's it.

3 A. Page 39?

4 Q. Page 39 is the last page of the exhibit.

5 A. (Witness reviews document.)

6 Okay.

7 Q. And do you see the company name that's listed there?

8 A. Yes.

9 Q. All right. Would you just read that, please.

10 A. "GREAT AMERICAN MOVING & STORAGE."

11 Q. And if you look down, do you see there's a chart
12 there under "Household Goods Complaint History"?

13 A. Right.

14 Q. And do you see where it says "Year"?

15 A. Yes.

16 Q. And what years are listed there for complaints?

17 A. 2010, 2011, and 2012.

18 Q. Thank you.

19 A. These complaints were -- the complaints in 2010 and
20 2012 were received as Olympic Van Lines. We only changed the
21 name of Great American Moving & Storage on the DOT site once we
22 resubmitted our application in Washington, so most of the
23 complaints here that we received were on Olympic Van Lines.

24 Q. Thank you. Now, do you have a website for Great
25 American Moving & Storage currently?

0033

1 A. Yes. It's greatamericanmove.com.

2 Q. And what types of moving services is Great American
3 Moving & Storage currently offering?

4 A. Household goods moving.

5 Q. And would those be -- would that be residential
6 household goods moving?

7 A. Residential and commercial, if we could handle it.

8 Q. And in what states are you offering those services?

9 A. Washington and Oregon, and we did some moves in --
10 from California. And we did a couple from Texas, and that's it.

11 We're now trying to branch out, though, to a few more
12 states on the West Coast.

13 Q. And is Great American Moving & Storage offering local
14 moving services in Washington?

15 A. No, not yet.

16 Q. Is the company offering local moving services in any
17 other state?

18 A. No. We don't do any local at all.

19 Q. You had mentioned that the company has done business
20 under the tradename "Olympic Van Lines."

21 And does your company still do business under this
22 tradename?

23 A. No, we don't.

24 Q. And when did the company's use of this tradename
25 cease?

0034

1 A. Probably when -- around the time we were doing the
2 transition to the new name. The reason why we changed the name,
3 Olympic Van Lines, is because Tina from the licensing department
4 said that there's another moving company in Tacoma that has a
5 similar name, and that they're -- we're being associated with
6 them, and it's not fair to them, because we had these complaints
7 on the BBB. And I didn't know that company until Tina made me
8 aware of it, and then I changed the name.

9 And then I tried to -- I actually put in another
10 application and tried to be as Infinity Moving or Infinity
11 Relocation -- I don't remember -- until we decided on our name
12 of Great American.

13 Q. And you're speaking of the application that you
14 submitted in 2011; is that correct?

15 A. You know, I'm not sure of the dates. I know I
16 submitted, I think, three applications. I'll look at -- there
17 was one under Olympic here, the one on -- I don't see the date.

18 (Witness reviews document.)

19 It should have the date, though.

20 (Witness reviews document.)

21 Yeah, in 2011, yes.

22 Q. Thank you. Now I'd like to talk about City Transport
23 a little bit.

24 How long did you work for City Transport?

25 A. Almost, I guess, from the beginning. I don't

0035

1 remember the dates exactly, but it was sometime in 2008. I'd
2 say towards the end of 2008 till about two thousand -- maybe the
3 end of 2009 or like the beginning of 2010 when -- that's when I
4 was starting to think about opening my own moving company. I
5 think it was actually in 2010, the beginning of 2010.

6 And I opened my corporation at the end of 2009, but I
7 didn't start doing business yet until the end of 2010, probably
8 around September or October of 2010.

9 Q. And City Transport did business under the tradename
10 of Mayflower Moving & Storage, correct?

11 A. Yes.

12 Q. And they also did business under the tradename of
13 U.S. Mover, correct?

14 A. Yes.

15 Q. Were you an officer of City Transport?

16 A. Yes. Apparently, on the paperwork I was, I guess. I
17 didn't know I was an officer on the paperwork.

18 Q. What was your title?

19 A. Office manager.

20 Q. And were you an officer of the corporation?

21 A. You know what? I don't know. I'm not -- like I
22 said, I was young. I don't really know what I was. I know I
23 was -- had the license at the PUC. Other than that, on the
24 paperwork or the corporation, I don't think he put me as a --
25 because he was the president, Avichai Minkoff, so I don't know.

0036

1 (Reporter interruption for clarification.)

2 THE WITNESS: Avichai, A-v-i-c-h-a-i; Minkoff,
3 M-i-n-k-o-f-f.

4 I don't -- is this what we're looking at? What page
5 are we...

6 BY MS. CAMERON-RULKOWSKI:

7 Q. I'm going to ask you to turn to Exhibit No. 11. This
8 is the California Public Utilities Commission Household Goods
9 Carrier Examination Report.

10 A. Oh, wait. Let me see.

11 Is it the last one? Yeah. Okay.

12 Q. Second to the last page.

13 A. On the second? Oh, yeah. We're on the same page,
14 yeah.

15 Q. And what title do you see there after your name?

16 A. General manager.

17 Q. And you also served as City Transport's qualifier,
18 correct?

19 A. Yeah, yeah. That was the word, "qualifier." That's
20 what I meant.

21 Q. And did you serve as their qualifier throughout your
22 term of employment with City Transport?

23 A. I don't know how soon they started doing local moves.
24 When I started working with them -- I don't remember the date
25 that I went to do the test, but I did it since I got the --

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1 somebody else was probably the qualifier for them before me.

2 Q. Thank you. Is Oracle Marketing currently operating
3 under any other tradenames besides Great American Moving &
4 Storage?

5 A. No.

6 Q. Are you associated in any way with any other moving
7 companies?

8 A. No. The only -- I mean, if you call this
9 association, maybe -- we worked together, meaning, you know,
10 when I go and deliver my job, then I'll sometimes pick up a job
11 from them and deliver it. But I don't -- that's -- the only
12 association we have with a moving company is we work hand in
13 hand, you know, to make it work for everybody.

14 Q. Understood. Now, you had submitted -- you had
15 testified that you had submitted several household goods
16 applications, and I believe we have all of them in the exhibits
17 today.

18 Would you agree with that?

19 A. Yes.

20 Q. And you had testified that you had operated in
21 Washington as Olympic Van Lines in 2010 and 2011, I believe; is
22 that correct?

23 A. Yeah, as a long-distance mover with the DOT license.
24 Definitely.

25 Q. You had also stated -- and you can tell me if I heard

0038

1 this correctly -- that you had not known that you needed a
2 license in this state when you first started operating here; is
3 that --

4 A. Yes.

5 Q. -- fair?

6 A. Yes.

7 Q. And you're aware that you -- that your company had
8 conducted several household -- local household goods moves in
9 Washington without a permit under the tradename Olympic Van
10 Lines, correct?

11 A. Right. If I'm not mistaken, it was two, two or three
12 customers. When I got the notice from the UTC that I'm doing
13 business with no license and -- then I was aware.

14 Q. You had mentioned that your company had undergone
15 several DOT audits?

16 A. (Witness nods head.)

17 Q. Could you please explain the -- why your company was
18 audited?

19 A. Yeah. The first audit that we had was because every
20 company in the first six months gets an audit. That's the first
21 audit where, you know, we had -- we got a small fine. It wasn't
22 that small, but it wasn't that big. It was like -- I don't
23 know -- maybe \$3,000 for paperwork that needed to be corrected.
24 Like there were certain links that we had to put on our
25 estimates, and it was mostly -- I think we just, you know,

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1 forgot to put like job numbers on the ends of the contracts,
2 different paperwork issues, where it is a big fine in the DOT.

3 And I sat with -- I forget his name. A really nice
4 man. He, you know, sat down and explained everything to me. We
5 had to send all the proof of corrections to him. And we did
6 that, although we still got the fine, but, you know, we paid it
7 off -- still paying it off.

8 And then the second audit was because of some
9 complaints that we got. The auditor came with another man that
10 was going through training at the time, and he came to see what
11 was going on, why I'm having so many complaints when in 2010,
12 they came -- or excuse me -- the beginning of 2011 they came to
13 do the audit, we had a very little amount of jobs, so that was
14 like, you're not a big company, and you're getting all these
15 complaints. I don't remember. Maybe it was like four or five
16 complaints that we got -- to come to check it out. He came. He
17 got all the paperwork. He was pretty happy with us. You know,
18 that's when we were talking about the whole situation of how
19 we -- I personally and the customer service team need to
20 communicate with the customers more so they don't get into the
21 situation. That's when we spoke about all that stuff.

22 We got another small fine because I think we were
23 missing a few things and just random contracts that he took out.
24 It wasn't specifically the customer.

25 And specifically the customers that complained, he

0040

1 was pretty happy with everything that he saw. And he was
2 involved with the situation -- with each of those complaints
3 also live when it was happening.

4 And so I think we were just missing some things, and
5 we got another small fine. We were paying that off also, and
6 that was it.

7 And -- oh. And the other time it wasn't exactly --
8 it wasn't an audit about us. There was a trailer company that
9 was getting an audit, and they just wanted proof of paperwork
10 and stuff like that. So they came and visited me, and I just
11 provided everything they needed and they returned it and that
12 was it. That's what it was.

13 Q. Can you tell me the approximate date of the two
14 audits that were of your company?

15 A. One was maybe between January and March of 2011, and
16 the other one was a few months later -- I don't know -- maybe
17 five or six months later. Maybe five months. I could get you
18 the dates later.

19 Q. I think that's sufficient for right now.

20 A. Okay.

21 Q. And when you said that the auditor was pretty happy
22 with what he saw concerning the complaints, can you elaborate a
23 little bit on that?

24 A. With the second audit we're talking about?

25 Q. That's correct.

0041

1 A. Yeah. So he came to check what's happening with the
2 company, you know, getting all these complaints, some of them.
3 I don't know -- I don't remember exactly what each complaint
4 was, but there was probably one for -- he said if there's a
5 certain amount of hostage complaints or one or two from however
6 many, that's when they come and get involved and come check.

7 So pretty happy about how I improved and changed all
8 the things that we talked about from the first audit. You know,
9 all the contracts were perfect, and we corrected the tariff, and
10 like everything with that, he was very happy about that.

11 Also concerning -- you know, all the paperwork that
12 he saw concerning the complaints themselves were perfect. You
13 know, everything was good. It was just a question of -- it was
14 a miss -- it was a disagreement between the customer and the
15 company where it had nothing to do with actual, you know, being
16 compliant with the law, because we were. We were. It was just
17 a disagreement -- disagreements that were dealt with, you know,
18 in different ways. Each situation for itself.

19 But when he came already to do the audit, all the
20 moves were already taken care of. Like nothing was just
21 hanging. I wasn't like the customer was waiting for their
22 stuff, you know? He just had to do it. It was mandatory for
23 him, you know, so he checked it out.

24 Q. And what kind of paperwork did you receive from the
25 auditor after these two audits?

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1 A. A review, basically a summary of what the fine --
2 what he's fining us with. Before he did that, he would sit with
3 me and explain to me what I need to change, and he gave me the
4 opportunity to give him, you know, the proof of correction.
5 It was just a summary of what the violations were on the
6 paperwork, and the amount of the fine.

7 Oh, actually, the auditor himself wouldn't give me
8 any paperwork. I'm sorry. I made a mistake. He didn't leave
9 me any paperwork. I would get that later on, like two weeks
10 later. From the DOT I would get that summary. He would
11 probably submit it to the DOT, and they would give me the fine.

12 Q. And are you speaking of the first audit or both of
13 the audits?

14 A. Both of the audits. I never got anything from him on
15 the day of the audit.

16 Q. And then --

17 A. He took stuff from me and then returned them to me,
18 but...

19 Q. And then following the date of the audit from the
20 Department of Transportation, did you receive any paperwork for
21 the second audit?

22 A. Yeah. Like two weeks later after every audit, yeah.
23 I got the summary of what the violations were from the auditor,
24 and the amount of the fine -- I'm sorry -- and -- and that's it.
25 And then I would call and then I got the settlement and made the

0043

1 payments.

2 Q. And can you tell me what the approximate amount of
3 the fines were?

4 A. They -- one was 3,000 or 3,400, something like that.
5 And then the other one was a little bit less than that,
6 somewhere between 2800 to like 3,000 also.

7 Q. Would you be able to provide copies of those two
8 summaries and the statement of the fines to the Commission?

9 A. Yes. Not today, but, yeah. Yeah. I could get a
10 copy and mail them or whatever.

11 JUDGE TOREM: Do you have easy access to those
12 documents?

13 THE WITNESS: Yes, yeah. I have copies of them in my
14 office.

15 JUDGE TOREM: Okay. So today is Monday.

16 THE WITNESS: I'm flying out tonight, actually, at
17 eleven p.m. I'm flying to my family in Israel, so...

18 I mean, I do have copies of everything, though, if
19 not in my office, in my e-mail, because I scan everything.

20 JUDGE TOREM: When do you think you can have them to
21 the Commission?

22 THE WITNESS: By the end of the week.

23 JUDGE TOREM: Okay. By Friday?

24 THE WITNESS: Yeah. I would just need to know who to
25 send them to. I could -- it would be easier for me to fax it

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1 from there, though, because mailing it out from there would take
2 longer. So I could fax it or -- or scan it and e-mail it.

3 JUDGE TOREM: I think typically we like to receive an
4 electronic copy followed by a hard copy.

5 THE WITNESS: Okay. So I would mail it out from
6 there and...

7 JUDGE TOREM: Ms. Cameron [sic], how do you propose
8 we handle these documents that you're asking for? Would an
9 electronic copy suffice? And we could print them on our end, if
10 that's necessary, to put them into the record?

11 MS. CAMERON-RULKOWSKI: Probably an electronic copy
12 would suffice, and that could be e-mailed to Rayne Pearson.

13 THE WITNESS: Um...

14 MS. CAMERON-RULKOWSKI: And we can provide any
15 contact to you directly following the hearing --

16 THE WITNESS: Perfect.

17 MS. CAMERON-RULKOWSKI: -- if that's acceptable to
18 Your Honor.

19 JUDGE TOREM: All right. And what I'm wondering is
20 are you asking so that it'd become part of the record in this
21 hearing, or simply they become part of the file for the
22 Commission Staff?

23 MS. CAMERON-RULKOWSKI: Your Honor, I think they
24 should become part of the record.

25 JUDGE TOREM: Okay. So what I'm going to ask, then,

0045

1 Ms. Green, is that when you submit those electronically to
2 Ms. Pearson, that you -- Ms. Pearson will then submit them and
3 forward a copy to me as the judge and to the Records Center and
4 take care of -- essentially she'll provide her own affidavit, as
5 you saw with the first exhibit from Ms. Wyse, stating that she
6 received these on such and such a date from you.

7 THE WITNESS: Okay.

8 JUDGE TOREM: And it's just essentially providing
9 them as to the best of her knowledge that's the full and
10 complete file that came in, and she'll make them part of the
11 record in this case, and that way I'll get a copy of them as
12 well.

13 So she won't be saying that they're true or accurate,
14 other than she just received them, and that's that.

15 THE WITNESS: Okay.

16 JUDGE TOREM: Is that agreeable?

17 THE WITNESS: Yeah. If I'm able to give you it.
18 Also I want to check with the DOT website if there's like any
19 option to maybe forward a link or something that you could see
20 it online, because I believe they have all these stuff online, I
21 would guess. I mean, maybe you have to log in or something.
22 I'll find out with them. Maybe that would be easier.

23 JUDGE TOREM: All right. So these are the two audit
24 reports from early 2011 and about five months later, so maybe
25 August/September of 2011 as well?

0046

1 THE WITNESS: Yeah. If I'm remembering the dates
2 correctly, yeah. It was -- there was a few months between them,
3 yeah.

4 MS. CAMERON-RULKOWSKI: And, Your Honor, we would
5 simply number them sequentially after the last number on the
6 exhibits here at hearing.

7 JUDGE TOREM: Okay. And the reason I'm asking about
8 the date is remember I -- the requirement for me is to issue a
9 written decision ten days after we close the record. So instead
10 of starting the clock today --

11 THE WITNESS: Yeah.

12 JUDGE TOREM: -- we can start the clock -- and I'd
13 rather it be sooner than later. I don't want this to linger for
14 either side. So if we get the documents in by Friday, great.
15 If they don't arrive and you haven't asked for additional time,
16 then the record will just be closed on Friday.

17 THE WITNESS: Okay. Okay. Yeah. I'm going to do
18 all I can to get them here.

19 JUDGE TOREM: Okay. Yeah. And if they come in
20 sooner, great. But I'll leave it open until Friday and start
21 the ten-day clock from there.

22 THE WITNESS: Okay.

23 JUDGE TOREM: Unless later on during this hearing we
24 have -- find something else we need.

25 THE WITNESS: No problem.

0047

1 JUDGE TOREM: Ms. Cameron, do you have any additional
2 questions for Ms. Green?

3 MS. CAMERON-RULKOWSKI: Your Honor, at this time, I
4 do not have any other questions. I would ask that I be able to
5 recall Ms. Green if any further testimony spurs further
6 questions.

7 JUDGE TOREM: And you mean through the course of
8 today's witnesses, not through the documents that might arrive
9 Friday?

10 MS. CAMERON-RULKOWSKI: That's correct, Your Honor.

11 JUDGE TOREM: Okay. All right. So, Ms. Green, did
12 you have anything else you want to tell me, based on the
13 questions you were just asked? You'll clearly have an
14 opportunity to question her witnesses as well, depending on what
15 they say, but was there anything else you wanted to tell me as
16 you try to rebut these allegations?

17 THE WITNESS: There was one thing that I just wanted
18 to mention about resubmitting the application for the UTC, that
19 I did it three times, was one -- the first one was just, you
20 know -- I don't know the word in English. I -- you know, I just
21 wanted to get the license. I submitted it with the information
22 that I knew at the time, you know, with the C.E.G. Marketing.

23 And the second time was trying to follow Tina's
24 instructions, because it works a little bit differently, the
25 licensing over here in Washington. Actually, a lot differently

0048

1 than what it goes in California. So I was trying to get the --
2 she had to have it match the DOT and the Department of Licensing
3 in Washington to what she had on the paperwork, and I didn't get
4 that because I didn't know how it was looking on the Department
5 of Licensing because I originally didn't submit it correctly.
6 That's what happened. The tradename, the d/b/a, all that got
7 mixed up.

8 And the last time was, okay. I got it. This is how
9 it's supposed to be. You know, here's everything that you need.
10 I'm not missing any documents. And I actually submitted all the
11 attachments that she needed, and, you know, I was hoping to get
12 approved then, but all this came up, so...

13 JUDGE TOREM: Okay. All right. Thank you.

14 I think we're ready to move on to hear what the
15 Department wants to say now having heard your testimony.

16 Are we ready to proceed?

17 MS. CAMERON-RULKOWSKI: Yes, Your Honor.

18 JUDGE TOREM: All right. So what I'm going to do is
19 swear in -- is Ms. Pearson going to go first, or do you want to
20 have Mr. Iljas first?

21 MS. CAMERON-RULKOWSKI: Ms. Pearson, please.

22 JUDGE TOREM: Okay. So, Ms. Pearson, if you could
23 please stand and raise your right hand.

24 ////

25 ////

0049

1

RAYNE PEARSON,

2

witness herein, having been first duly sworn on oath, was

3

examined and testified as follows:

4

5

D I R E C T E X A M I N A T I O N

6

BY MS. CAMERON-RULKOWSKI:

7

Q. Good afternoon, Ms. Pearson.

8

Please state your first and your last name for the

9

record.

10

A. Rayne Pearson.

11

Q. And please state the name of your employer.

12

A. Washington Utilities and Transportation Commission.

13

Q. In what position are you employed by the Commission?

14

A. Compliance investigator.

15

Q. And how long have you been employed in this position?

16

A. Two years and about eight months.

17

Q. And how long have you been employed by the

18

Commission?

19

A. The same amount of time.

20

Q. Please briefly describe your responsibilities as they

21

pertain to this matter.

22

A. With respect to the most recent application, it was

23

passed to me for a compliance review, and I conducted an

24

investigation that included some previous information that was

25

before the Commission in connection with past applications that

0050

1 Ms. Green submitted.

2 Q. And so are you familiar with the applicant, Chana
3 Green?

4 A. Yes.

5 Q. And did you become familiar with Ms. Green through
6 this investigation?

7 A. Yes, I did, and I had knowledge of her from the
8 previous investigation conducted by another Staff member.

9 Q. I would ask you to please turn your attention to the
10 document marked as Exhibit No. 8.

11 Are you familiar with this document which is titled
12 "MEMORANDUM"?

13 A. Yes, I am.

14 Q. And how are you familiar with this document?

15 A. I prepared this document under my supervisor's name.

16 Q. And does this document accurately document your
17 investigation of Ms. Green and her application?

18 A. Yes, it does.

19 MS. CAMERON-RULKOWSKI: Your Honor, I offer Exhibit
20 No. 8 for admission into evidence.

21 JUDGE TOREM: Okay. Ms. Green, Counsel has just
22 shown that Ms. Pearson helped prepare the document and knows the
23 contents, she says, of everything it contains.

24 Now is the time for me to give you an opportunity to
25 object to having me consider the document, or you can say "no

0051

1 objection."

2 MS. GREEN: Yeah. I actually never saw this, so I
3 don't really know.

4 Do I have a minute to read it?

5 JUDGE TOREM: You can certainly take a moment to
6 browse through it.

7 MS. GREEN: Yeah.

8 JUDGE TOREM: Or we can wait until -- I'm sure
9 there's going to be some questions that go to the document, and
10 you'll have a better flavor for what this is; am I correct,
11 Ms. Cameron-Rulkowski?

12 MS. CAMERON-RULKOWSKI: Your Honor, this document is
13 on file in the docket on RMS, which is the Commission's
14 electronic filing system, and has been there for some time. It
15 was listed as an exhibit in the exhibit list that I filed a week
16 ago. And it states in some detail the allegations and the
17 support for the allegations in this hearing, and I do not have
18 plans to duplicate what is stated here through Ms. Pearson's
19 testimony.

20 JUDGE TOREM: Okay. Had you sent this document
21 physically to Ms. Green before?

22 MS. CAMERON-RULKOWSKI: No, Your Honor.

23 JUDGE TOREM: Okay. And, Ms. Green -- well, I think
24 getting the listing, was it submitted to the Records Management
25 System at the same time you submitted the list?

0052

1 MS. CAMERON-RULKOWSKI: No, Your Honor. That was on
2 file.

3 JUDGE TOREM: Help me in sequence in time, because --

4 MS. CAMERON-RULKOWSKI: Certainly, Your Honor.

5 JUDGE TOREM: -- the list came in about a week ago.

6 BY MS. CAMERON-RULKOWSKI:

7 Q. Ms. Pearson, do you know when the memorandum was
8 placed in the electronic file?

9 A. July 3, 2012, I believe.

10 JUDGE TOREM: So on the same date it was prepared?

11 THE WITNESS: Yes.

12 JUDGE TOREM: So you would have access to that. But
13 for the hearing today --

14 MS. GREEN: I didn't know that, but...

15 JUDGE TOREM: Okay. Let me give you a moment just to
16 page through it. If you need more time, let's take about five
17 minutes.

18 MS. GREEN: Okay.

19 JUDGE TOREM: And, Mr. Iljas, I appreciate your
20 patience there on the line.

21 MR. ILJAS: No problem.

22 JUDGE TOREM: I think what we'll do is we'll take
23 five minutes and go off the record. I'll come back in about
24 five minutes, we'll see if you're ready to let me know if you
25 have any objections to the document or need more time.

0053

1 MS. GREEN: Thank you.

2 JUDGE TOREM: And, hopefully, that will be
3 sufficient.

4 MS. GREEN: Okay. Thank you so much.

5 (A break was taken from 2:41 p.m.
6 to 2:48 p.m.)

7 JUDGE TOREM: All right. We're back on the record.
8 It's about 13 minutes to three.

9 Ms. Green, have you had sufficient time to get an
10 idea of what that document is all about?

11 MS. GREEN: Yes.

12 JUDGE TOREM: All right. Any objections to Exhibit
13 8?

14 MS. GREEN: Yes.

15 JUDGE TOREM: Okay. What's the nature of it? In
16 this kind of hearing -- you can certainly ask questions about
17 any of the contents of the document to Ms. Pearson when it's
18 your turn. But as far as an objection, you have to tell me it's
19 irrelevant, or somehow this document is not authentic.

20 MS. GREEN: There's -- yeah. There's some missing
21 information. I don't have any questions. I just have a
22 statement to say.

23 JUDGE TOREM: So you're saying it's incomplete in
24 some fashion?

25 MS. GREEN: There's missing information. I was

0054

1 looking at the part where --

2 JUDGE TOREM: What page number are you at?

3 MS. GREEN: It's page number -- I think it's from the
4 same one, isn't it? It's the same -- it's page No. 2.

5 JUDGE TOREM: In the upper right-hand corner --

6 MS. GREEN: Oh.

7 JUDGE TOREM: -- there's a page number.

8 MS. GREEN: Page 6 of 39.

9 JUDGE TOREM: Okay. And what on that page is drawing
10 your attention?

11 MS. GREEN: I was looking at the examples of four
12 customers that had complained either to -- I don't know who they
13 complained to, the DOT or the UTC.

14 JUDGE TOREM: Okay.

15 MS. GREEN: There's a lot of missing information over
16 here, because this document is only based on what the customer
17 had to say. It's not based on any paperwork. It's not based on
18 any of the facts that -- you know, we didn't just go ahead and
19 ask Mrs. Shipman for \$4,000. The -- the whole situation behind
20 this story, just for instance, was we picked up her job. We
21 told her exactly --

22 JUDGE TOREM: Let me interrupt.

23 MS. GREEN: Yeah.

24 JUDGE TOREM: And then I understand what you're
25 saying is these bullet points -- as far as I can tell in this

0055

1 memo, this is part of the -- it's a June 15, 2011 memo from some
2 of our compliance investigators. It wasn't Ms. Pearson.

3 MS. GREEN: Oh, okay. So I'm -- I'm sorry.

4 JUDGE TOREM: But, again, so she -- how she relied on
5 this information and whether she did any further follow-up to
6 actually seek out the -- whatever these complaints were filed,
7 you could ask her about.

8 I can certainly go to the weight of this evidence.
9 Whether I will believe every single word in a memo versus the
10 actual documents. I might give much better weight to a full
11 investigation file.

12 But, again, this isn't a hearing of the sort where
13 we're getting into the detail of each and every one of those
14 complaints. All it is is did the UTC make a correct decision --

15 MS. GREEN: Oh.

16 JUDGE TOREM: -- in notifying you to deny your
17 license. And they'll -- they have explained why in the notice,
18 and you need to rebut that. So you're already sending in these
19 audits now on Friday.

20 I think what -- what I'll do is understand, once you
21 ask Ms. Pearson or the other witnesses questions, how your side
22 of things are that -- that might be contained in what they have
23 said or what they have submitted, so...

24 MS. GREEN: Could I bring in evidence, let's say, to
25 these examples?

0056

1 JUDGE TOREM: Well, certainly. If you think it would
2 help to rebut claims being made by the UTC, that's your right to
3 put as much information you think is relevant so I get the whole
4 story and can make the right decision.

5 MS. GREEN: Yes. I would like that, because I never
6 saw these papers before, and I would --

7 JUDGE TOREM: All right.

8 MS. GREEN: -- be happy if I have the opportunity to
9 do that.

10 JUDGE TOREM: I think from the nature of this
11 document, the Commission is allowed to submit it, so I'm going
12 to admit Exhibit 8.

13 What other document -- do you want to ask questions
14 today about it, or do you want to submit by the Friday deadline
15 any additional documents? That's what -- the kind of documents
16 you probably should have submitted on the original deadline, but
17 since we're already extending the record, I'm going to give you
18 the courtesy of submitting whatever else you think needs to come
19 in --

20 MS. GREEN: Yeah. I'm going to submit --

21 JUDGE TOREM: -- in paper.

22 MS. GREEN: I'm going to submit some paperwork
23 regarding this on Friday.

24 JUDGE TOREM: Okay. I want you to clearly label it
25 different than the two, so submit separate documents. When you

0057

1 scan something to send it to Ms. Pearson --

2 MS. GREEN: Yeah.

3 JUDGE TOREM: -- one of them should be the first 2011
4 audit; a second document -- maybe a second e-mail would be a
5 separate later in 2011 audit. Each additional document should
6 be a separate scan so that we can understand what you're
7 submitting.

8 MS. GREEN: Okay. Yeah. I'll make it clear that
9 it's separate.

10 JUDGE TOREM: This case is supposed to be a short
11 hearing into this matter, and I don't want to turn this again
12 into something where the Commission wants to -- or has to
13 respond to something you should have submitted earlier.

14 So I'm going to look at your documents and in the
15 order that I issue, I'll let you know if I considered them or
16 not. I'll look at them and see if they are relevant to the case
17 that the Commission is making.

18 If they're irrelevant --

19 MS. GREEN: Then you're going to --

20 JUDGE TOREM: -- I'll note that in the -- and I'll
21 explain to you they're not relevant because, if I exclude them.

22 If I admit them, then the problem is how does the
23 Commission respond to these things? How do they get their fair
24 process rather than you might see it from their position as
25 trying to sneak something in at the end because the judge is

0058

1 trying to be nice.

2 Well, I don't want that to happen, and so I'm going
3 to have to make a judgment. If I'm going to admit them, I would
4 hope that when they come in within, say, three business days, we
5 get something back from the Commission asking if they want time
6 to respond that they send in a notice. I don't want to turn it
7 into a big paper case where I'm generating a notice and a
8 deadline.

9 So I'll tell you now if they come in on Friday, the
10 12th, the following Wednesday is the 17th. Even if you just
11 send me an e-mail and courtesy copy Ms. Green saying you
12 intend -- maybe you'll know on Monday -- that we intend to
13 submit a response.

14 MS. CAMERON-RULKOWSKI: So, Your Honor, just to make
15 sure I understand this correctly, Ms. Green has a deadline of
16 the -- next Friday to --

17 JUDGE TOREM: This Friday, the 12th.

18 MS. CAMERON-RULKOWSKI: Oh, this Friday.

19 -- to submit anything additional about these
20 Washington consumers. And then we have until Wednesday to state
21 if we have an objection and if we'd like additional time; is
22 that correct?

23 JUDGE TOREM: How long do you think? I mean, we
24 don't know what the volume of these documents is, so it's hard
25 to answer a question.

0059

1 MS. GREEN: It's basically just -- I just -- it's the
2 documents from the move, probably a few e-mails concerning, you
3 know, some of the clients, like correspondence that we had with
4 them. And it's not too much paperwork. I mean, every contract
5 is like -- I don't know -- maybe between five to eight pages,
6 plus maybe another page of some e-mail, so not too much.
7 There's four clients, so it shouldn't be that much.

8 MS. CAMERON-RULKOWSKI: Your Honor, I think Staff
9 could respond by Wednesday. I would simply ask to have the
10 courtesy of submitting any additional records that Staff might
11 find that might -- that might be useful to the issue.

12 JUDGE TOREM: Okay.

13 MS. CAMERON-RULKOWSKI: And, again, we would submit
14 those under Ms. Pearson's declaration.

15 JUDGE TOREM: All right. So let me restate, then,
16 where we stand. Exhibits 1 through 7 were already admitted,
17 Exhibit 8 is now being admitted, and an allowance is being made
18 for Ms. Green to file, in addition to the DOT audits, which I
19 expect to be labeled Exhibits 11 and 12, further documents
20 regarding page 6 of 39 out of Exhibit 8 to respond to those
21 customer complaints, the company's side of things and those
22 underlying issues. Those are also due by Friday the 12th, and
23 they have to be received in Ms. Pearson's e-mail box before five
24 o'clock.

25 MS. GREEN: Okay.

0060

1 JUDGE TOREM: Ms. Pearson will then review those the
2 following week. She'll provide those to me when she receives
3 them with the declaration saying that's what she received, and
4 that will be 11 and 12.

5 If Staff chooses to respond to 13 through 16, I
6 suppose it will be, Staff's response will come in via
7 declaration with any additional attachments with the suggested
8 exhibit numbers in sequence, okay?

9 MS. GREEN: Okay.

10 JUDGE TOREM: Whatever the numbers might be when we
11 get to that point.

12 So all of the Staff's exhibits have to come in by
13 next Wednesday at five o'clock, the 17th of October, and that's
14 when the record will close.

15 MS. GREEN: Okay.

16 JUDGE TOREM: Okay. So Exhibit 8 admitted.

17 (Exhibit No. 8 was admitted into the record.)

18 JUDGE TOREM: We'll go back your questioning of
19 Ms. Pearson.

20 MS. CAMERON-RULKOWSKI: Thank you, Your Honor.

21 BY MS. CAMERON-RULKOWSKI:

22 Q. Ms. Pearson, please turn to Exhibit No. 9.

23 Please identify this document.

24 A. This is a corporation detail from the Washington
25 Secretary of State office regarding Oracle Marketing, Inc.

0061

1 Q. And did you print this document?

2 A. Yes, I did.

3 Q. Is this document a true and correct copy of the
4 document you printed?

5 A. Yes, it is.

6 Q. Please turn to the next exhibit, which is Exhibit No.
7 10.

8 Please identify this exhibit.

9 A. This is the California Secretary of State business
10 entity detail for Oracle Marketing, Inc.

11 Q. And did you print this document?

12 A. Yes, I did.

13 Q. Is Exhibit 10 a true and accurate copy of the
14 document you printed?

15 A. Yes, it is.

16 MS. CAMERON-RULKOWSKI: Your Honor, I offer Exhibits
17 No. 9 and 10 into evidence.

18 JUDGE TOREM: If I understand correctly, these are
19 simply showing the corporate registrations with both states?

20 MS. CAMERON-RULKOWSKI: That's correct, Your Honor.

21 JUDGE TOREM: Any objection to these?

22 MS. GREEN: No.

23 JUDGE TOREM: All right. Exhibits 9 and 10 are
24 admitted. Thank you.

25 (Exhibit Nos. 9 - 10 were admitted into the record.)

0062

1 JUDGE TOREM: Let me interrupt one more time, because
2 I am realizing that if these were 9 and 10, Mr. Iljas's are 11
3 and 12, and I'm just catching the fact that all of that previous
4 numbering, I forgot about Mr. Iljas's documents.

5 We know you're still on the phone.

6 MR. ILJAS: Yes. Yes, I am, Your Honor.

7 JUDGE TOREM: So, Ms. Green, if you will -- if you
8 made a note as to the specific number, it will be 13 and 14 that
9 you submit, and then we go on sequence from there. So I'm sorry
10 for misstating it.

11 MS. GREEN: I'm going to be 13 and 14, the documents
12 that I submit?

13 JUDGE TOREM: I believe so. It's going to be 13 and
14 14 will be the audits. And then from there, depending on how
15 many responses you're able to find to those individual
16 complaints --

17 MS. GREEN: Right.

18 JUDGE TOREM: -- will start at 15. So you'll pick up
19 with 13 and go forward.

20 Sorry. I was just looking at my notes, and thought
21 something didn't add up right.

22 MS. CAMERON-RULKOWSKI: Your Honor, I have no further
23 questions for Ms. Pearson at this time.

24 JUDGE TOREM: Okay. Ms. Green, then it's your
25 opportunity to cross-examine Ms. Pearson.

0063

1 C R O S S - E X A M I N A T I O N

2 BY MS. GREEN:

3 Q. What I wanted to ask was in regards to the -- wait.
4 Where is it? -- the complaints from the four shipper -- from
5 the four clients that you submitted.

6 Did anybody contact the moving company to find out
7 what the -- you know, what the story is and -- when it was
8 happening?

9 A. With respect to these particular four complaints, we
10 don't have jurisdiction over interstate moves, which are moves
11 that cross state lines, as all four of these transactions did.

12 I do believe that you spoke with my supervisor,
13 Sharon Wallace, with respect to one of the situations.

14 Q. True. Why did you put these in the...

15 A. That was a memo prepared by another compliance
16 investigator, Travis Yonker, in connection with a previous
17 application that you filed with the Commission, and I included
18 his memorandum as history of the previous investigative work
19 that had been done.

20 Q. Yeah. Like I'm trying to see why was it put in,
21 because it's not like local moves.

22 So why was it being part of the memo?

23 A. Because it speaks to your fitness to operate as a
24 household goods mover --

25 Q. Okay.

0065

1 D I R E C T E X A M I N A T I O N

2 BY MS. CAMERON-RULKOWSKI:

3 Q. Good afternoon, Mr. Iljas.

4 A. Good afternoon.

5 Q. Can you please state and spell your first name.

6 A. Yes. My legal first name is Zulkifli. It's spelled
7 "Z," as in zebra, u-l-k-i, "f," as in Frank, l-i. I use the
8 nickname Joe for the sake of expediency, and the fact that
9 people get tongue twisted when they try to pronounce my first
10 name.

11 Q. Thank you. Mr. Iljas, please state the name of your
12 employer.

13 A. I'm employed by the California Public Utilities
14 Commission.

15 Q. And in what position are you employed by the PUC?

16 A. Currently, I'm a supervisor in the insurance unit in
17 the license section. I have been in this position since August
18 22nd of this year.

19 Q. And before you were in that position, which position
20 were you in?

21 A. Just prior to this position, I was an investigator in
22 the Transportation Enforcement Section of the Consumer
23 Protection and Safety Division.

24 Q. And how long were you in that position?

25 A. I was in that position since December 2, 2009.

0066

1 Q. And could you briefly describe your responsibilities
2 as an investigator as they pertain to your investigation of City
3 Transport?

4 A. We track the number of incoming complaints for each
5 company, and the number of complaints under City Transport had
6 reached the levels that we -- made us uncomfortable. At that
7 time I was assigned the case to review the operations of City
8 Transport. I was the lead investigator and an associate,
9 Maritza Perez, was my coinvestigator.

10 Q. Thank you. And are you familiar with Chana Green?

11 A. Yes, I am.

12 Q. And how did you become familiar with Ms. Green?

13 A. Ms. Green appeared on our records as the qualifier
14 for City Transport. In my numerous visits to the City Transport
15 offices in Santa Clara, I believe I saw Ms. Green in the office
16 only one time. This created a concern for me in light of the
17 fact that -- of the numerous complaints that City Transport was
18 experiencing, and Ms. Green was required as a qualifier to be in
19 the office at least 32 hours a week. The fact that she was not
20 present meant greater exposure for the consumers, so, hence, I
21 started trying to determine where Ms. Green was in relation to
22 the company.

23 Q. And, Mr. Iljas, I'll ask you to direct your attention
24 briefly to Exhibit No. 6, and this is a printout of the
25 California Public Utility Code Section 5135.

0067

1 I don't believe you're a lawyer, so I'll simply ask
2 that is it your understanding that this is the state law section
3 that covers qualification for household goods carriers in
4 California?

5 A. That is correct.

6 Q. Thank you. And now I'll ask you, please, to refer to
7 Exhibit No. 11. And this is described in the exhibit list as
8 California PUC Household Goods Carrier Examination Report and
9 application.

10 A. All right. I have that in front of me.

11 Q. Thank you. Is this document something that you
12 reviewed in the course of your investigation of City Transport?

13 A. Yes, it is.

14 Q. And can you please explain the purpose of this
15 document?

16 A. The qualifier is required to fill out this document
17 as a means of identifying his or herself, and -- and the
18 additional requirement we have is to provide some kind of
19 identification that's government-issued.

20 Q. And what, in your opinion, is a qualifier responsible
21 for?

22 A. The qualifier has -- by taking this test, the
23 qualifier demonstrates that he or she is conversant with the
24 Maximum Rate Tariff 4, which is the tariff that governs all
25 moving companies in the State of California, and the qualifier

0068

1 has the responsibility of being the in-house expert to guide the
2 company to making the lawful and correct decisions based on the
3 tariff and the codes.

4 Q. It appears from the exhibit that Ms. Green passed the
5 examination.

6 Did you consider her to be the qualifier for City
7 Transport?

8 A. Yes. She did pass, and her name appears on the City
9 Transport file as the qualifier.

10 Q. Now, did you hear Ms. Green's testimony earlier?

11 A. Yes.

12 Q. And Ms. Green testified earlier that she was young
13 and perhaps did not have a complete understanding of her
14 responsibilities as a qualifier.

15 What is your opinion of Ms. Green's grasp of the
16 California household goods laws and the applicable tariff?

17 A. Well, based on the score that she -- she got on the
18 test, which was an 89, it shows that she has a pretty good idea
19 of the Max 4 tariff. It's pretty complicated, the test is open
20 book, and many of the applicants do fail. In fact, Ms. Green
21 failed the first time when she took the test on March 6 of '09.

22 Q. Thank you.

23 MS. CAMERON-RULKOWSKI: Your Honor, I offer Exhibit
24 No. 11 for admission into evidence.

25 JUDGE TOREM: Ms. Green, any objection to these two

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1 pages?

2 MS. GREEN: No.

3 JUDGE TOREM: All right. Exhibit 11 is admitted.

4 (Exhibit No. 11 was admitted into the record.)

5 BY MS. CAMERON-RULKOWSKI:

6 Q. Mr. Iljas, please refer to Exhibit No. 12. This is
7 the last exhibit.

8 A. All right. I have that in front of me.

9 Q. Thank you. Are the documents in this exhibit
10 documents that you received from City Transport?

11 A. The top document, the notice to appear, was one that
12 was generated by me. It's dated September 30, 2009. Again,
13 this -- I generated this document to require Ms. Green to appear
14 at the Commission to speak with me because of my concern that
15 she was never in the office. During the course of the
16 investigation, I was down in the Santa Clara area where City
17 Transport's offices were located probably once a week, and as I
18 stated earlier, I found Ms. Green in the office one time. Every
19 time I inquired as to Ms. Green's whereabouts, I was given as an
20 excuse that she was at lunch or she was on an errand or
21 something to that nature, so as a result, I issued the notice to
22 appear and required her to come to the Commission to speak with
23 me and also bring -- bring along any payroll records to verify
24 that she was still on the staff of City Transport.

25 Q. And I see on this notice to appear that there's a

0070

1 signature down below that appears to be Avi Minkoff?

2 A. That correct.

3 Q. And so I'm assuming that you received this copy,
4 then, from City Transport with that signature; is that correct?

5 A. Actually, I hand-delivered a copy to the office and
6 handed it to Mr. Minkoff and required him to sign that he had
7 received it.

8 Q. I understand. Thank you.

9 And then the documents that follow that first page
10 appear to be a cover letter signed by Avichai Minkoff, and then
11 various payroll records.

12 And are those records that you received from City
13 Transport?

14 A. That's correct.

15 Q. Thank you. And did you review these documents in
16 conjunction with your investigation of City Transport?

17 A. Yes, I did.

18 MS. CAMERON-RULKOWSKI: Your Honor, at this time, I
19 offer into evidence Exhibit No. 12.

20 JUDGE TOREM: Ms. Green, any objection to the
21 summons, the notice to appear, as it is in all of the responding
22 documents?

23 MS. GREEN: No.

24 JUDGE TOREM: All right. Then Exhibit 12 is
25 admitted.

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1 (Exhibit No. 12 was admitted into the record.)

2 BY MS. CAMERON-RULKOWSKI:

3 Q. Mr. Iljas, what was the outcome of your
4 investigation?

5 A. At the end of the investigation, I found numerous
6 complaints -- excuse me -- numerous violations committed by City
7 Transport. I prepared a detailed report of my investigation,
8 which was submitted to my management, and as a result, City
9 Transport was cited the amount of \$10,000 for those violations
10 and was also required to make restitutions to consumers for
11 overcharges totaling about \$19,000.

12 Q. And I'm going to ask you to turn now to Exhibit No.
13 8, which is entitled "MEMORANDUM."

14 And starting on page 11, there is what appears to be
15 an e-mail from you to Rayne Pearson, and following that page as
16 Appendix D, there is a document entitled "CASE SUMMARY."

17 Is that case summary the memorandum that you just
18 referred to that you prepared?

19 A. That's correct.

20 Q. And the document that begins on page 27 of that
21 exhibit entitled "CITATION FOR VIOLATION OF PUBLIC UTILITIES
22 CODE," is that the citation that you just referred to?

23 A. That's correct.

24 Q. To your knowledge, did City Transport ever pay the
25 fine?

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1 A. No, they did not.

2 Q. And to your knowledge, did City Transport ever make
3 any of the customer refunds?

4 A. Only a fraction. In the e-mail, I believe I referred
5 to the amount that they had -- well, I didn't mention an amount,
6 but it was roughly \$2,000 in restitutions that were made out of
7 the 19,000.

8 Q. Thank you. To your knowledge, is City Transport
9 operating in any way under any name in California?

10 A. Not to my knowledge.

11 Q. And you told me earlier that you had heard the
12 testimony of Ms. Green earlier today.

13 Do you have anything that you would like to add to
14 the Staff oral statement?

15 A. The -- at the conclusion of my investigation, we were
16 still pursuing City Transport. When I visited their offices in
17 Santa Clara, I found that they had vacated the building without
18 any knowledge to either the property management or -- or any
19 notification made to us.

20 My further investigations led me to Ms. Green's
21 office in San Mateo. I had occasion to visit that office...

22 JUDGE TOREM: You're trailing off there, Mr. Iljas.

23 THE WITNESS: Sorry?

24 JUDGE TOREM: We have suddenly lost the volume.

25 THE WITNESS: Okay.

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1 JUDGE TOREM: Can you speak up a little bit louder?

2 THE WITNESS: Sure.

3 JUDGE TOREM: Much better.

4 THE WITNESS: All right. At the conclusion of the
5 investigation of City Transport, I had occasion to visit their
6 offices in Santa Clara to determine why we were not getting any
7 further communication from them. I found that they had vacated
8 the premises and -- without any knowledge of the building
9 management, and we were not notified that they were ceasing
10 operations.

11 Further investigation led me to Ms. Green's office in
12 San Mateo. I occasioned to visit that office with my associate,
13 Ms. Perez, accompanied by an investigator for the district
14 attorney of San Mateo. We found that the salesperson of City
15 Transport was the only person present in that office. At that
16 time we made a demand for records, which he refused to provide
17 for us. And when we asked him to contact his boss, we assumed
18 would be Ms. Green for permission, instead he called
19 Mr. Minkoff.

20 So as far as we were concerned, Mr. Minkoff was the
21 one running that operation with -- with Ms. Green fronting him.
22 And soon after that, they vacated that office also, and I found
23 out that Ms. Green had moved up to -- to your region.

24 BY MS. CAMERON-RULKOWSKI:

25 Q. Mr. Iljas, I have a couple of clarifying questions.

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1 You explained that you had visited the Santa Clara
2 offices and then the San Mateo office.

3 Approximately when was this; do you recall?

4 A. I was in the Santa Clara office, I seem to recall,
5 October sometime, and the San Mateo office was, if not late
6 October, it was early November of 2010.

7 Q. And you said that you had visited Ms. Green's office
8 in San Mateo?

9 A. Right.

10 Q. And how did you know it was Ms. Green's office?

11 A. The company doing business there was C.E.G.
12 Marketing, so I expected to see Ms. Green there. But as I've
13 stated, I -- instead I found a salesman for City Transport.

14 Q. And when you stepped into that office, did the
15 salesperson identify himself or herself as a City Transport
16 employee?

17 A. No, I recognized the individual. His name escapes
18 me, but I had seen him several times down in -- down in the
19 Santa Clara office for City Transport.

20 MS. CAMERON-RULKOWSKI: Thank you. I have no further
21 questions at this time for Mr. Iljas.

22 JUDGE TOREM: All right. Ms. Green, this is your
23 chance to ask Mr. Iljas any questions you need to ask.

24 MS. GREEN: Could I say something?

25 JUDGE TOREM: Well, I'll give you a chance when we

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1 wrap up to give me --

2 MS. GREEN: Oh.

3 JUDGE TOREM: -- a closing summary statement.

4 Do you have any questions for Mr. Iljas?

5 MS. GREEN: No, I don't.

6 JUDGE TOREM: Okay. All right. Thank you, then.

7 Ms. Cameron-Rulkowski, aside from the other documents
8 we have already listed we're waiting for from Ms. Green on
9 Friday, which will start with No. 13, it appears that Exhibits 1
10 through 12 that you've offered have now all been admitted.

11 Is there any other documents or witnesses you want to
12 present today?

13 MS. CAMERON-RULKOWSKI: No, Your Honor.

14 JUDGE TOREM: All right. So subject to the
15 Commission having a chance to respond to what Ms. Green may
16 submit on Friday, do you rest the Commission's case?

17 MS. CAMERON-RULKOWSKI: In terms of evidence, yes,
18 Your Honor. I do understand that we will both have an
19 opportunity for a closing statement.

20 JUDGE TOREM: All right. Ms. Green, I have heard
21 from you, and I have heard from the Commission by its two
22 witnesses and your opportunity to question them.

23 We have extended the courtesy of letting you review
24 Commission documents today, as well as respond to them no later
25 than Friday at five o'clock.

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1 Ms. Pearson will make sure you have an e-mail address
2 to submit those. I won't entertain any evidence after, so if
3 something doesn't come in by Friday, then the case will close.

4 If you do submit items on Friday, then the Commission
5 will have until Wednesday to respond, all right? Do you
6 understand that?

7 MS. GREEN: Yeah.

8 JUDGE TOREM: Do you anticipate any other evidence
9 than the two DOT audits and those four customer files that you
10 wanted to address from Ms. Pearson's inclusion of them in
11 another memo?

12 MS. GREEN: No, I don't.

13 JUDGE TOREM: Okay. All right. Then I think we're
14 ready to hear some closing comments. What I'm looking for,
15 Ms. Green, is just an overall summary, if you want to respond to
16 testimony that you've heard, and tell me how you're rebutting
17 all these allegations in the original notice, and then I'll let
18 the Commission have its last say and then we'll be done.

19 MS. GREEN: Okay.

20 MS. CAMERON-RULKOWSKI: Your Honor, could I make a
21 request to go briefly off the record?

22 JUDGE TOREM: Certainly. We'll be off the record for
23 a moment.

24 (A break was taken from 3:25 p.m.
25 to 3:33 p.m.)

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1 JUDGE TOREM: It's a little after 3:30. We'll be
2 back on the record.

3 Ms. Green, are you prepared to give me your closing
4 remarks?

5 MS. GREEN: Yes.

6 JUDGE TOREM: Okay. Go ahead.

7 MS. GREEN: So there was just one thing I wanted to
8 say about what Mr. Joe Iljas said in regards to City Transport.
9 When I was in the process of starting -- you know, trying to
10 start my own thing, I was using City Transport's addresses and
11 fax number and stuff, you know, in the beginning, so that's why
12 when he came to the office in San Mateo, he found, you know,
13 some of City Transport's stuff and all their paperwork was there
14 and everything. I didn't start doing business as of yet. I was
15 just getting started trying to get everything together, and our
16 plan was actually to come up to here anyways.

17 And I also spoke to Joe many times before we actually
18 started doing business here in Washington, trying to work on
19 the, you know, last of the complaints that City Transport had.
20 And I told him about all my plan, and I was telling him all
21 about what I'm doing, you know, after that, so we weren't really
22 at that location. That wasn't -- that was like for mailing
23 purposes and stuff like that that our address was on the papers.

24 And my closing thing is that I just -- the bottom
25 line is that, you know, whatever was in the past, was in the

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1 past. It is important to look into that, and, you know, of
2 course, it shows a lot about a person sometimes. And just --
3 it's a very delicate situation where I was involved in something
4 that I wasn't fully aware of, and whatever was in the past
5 really was in the past, because I want -- I want you guys to be
6 able to focus on what's happening now and what my business
7 practice is today and to give me the chance to -- and the
8 opportunity to prove to you that that is the case in the future.
9 I'm giving good customer service, and just giving me the
10 opportunity to be able to get out there because I have changed.
11 My business practices have changed. I understand things
12 differently. I understand things as they are, I guess, and
13 that's it. That's all I ask; just to give me the opportunity
14 because I do have proof of change. I'm not just saying that.

15 JUDGE TOREM: Thank you, Ms. Green.

16 All right. Commission? Ms. Cameron-Rulkowski?

17 MS. CAMERON-RULKOWSKI: Thank you, Your Honor.

18 Staff appreciates that Ms. Green has come here today
19 and has addressed many of the issues that Staff had -- had
20 identified.

21 At this point, however, we have not received any
22 documentation from Ms. Green about satisfied customers, and we
23 still have documentation -- we still have documentation from the
24 Better Business Bureau and from the Federal Motor Carrier Safety
25 Administration Household Goods Program that indicates that the

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1 moving companies that Ms. Green has run has been garnering
2 complaints from consumers involving some very serious issues.

3 And knowing what we know now, Staff still is very
4 concerned about the business practices that are harmful to
5 consumers that have been alleged in these consumer complaints.

6 Now, Ms. Green has stated that she has no control
7 over what consumers write, and I understand that that's true.
8 Yet still customers have alleged that there have been goods
9 taken hostage, and Staff is not in a position of having any sort
10 of documentation to rebut that.

11 Staff looks forward to reviewing the audits that
12 Ms. Green will be submitting. At this time, however, Staff
13 believes that the Commission should deny Ms. Green's
14 application. Thank you, Your Honor.

15 JUDGE TOREM: Thank you, Ms. Cameron-Rulkowski.

16 So I understand both sides. The record's still open
17 for Ms. Green to submit the documents. It will be -- 13 and 14
18 will be those audits you just referenced, and then however many
19 independent documents come in as rebuttal to page 6 of
20 Ms. Pearson's Exhibit 8, and the four complaints listed there.

21 Please don't send any additional documents that we
22 haven't already identified, but those two audits, and then the
23 documents hopefully broken into four files as to each of the
24 complaints. That would be Exhibits 13 and 14, and then 15, 16,
25 17, and 18. If we receive those on Friday timely or before,

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1 then Staff will have until Wednesday to send in their documents.
2 And they'll make sure that they e-mail those back to you as
3 well, so you can see what they have submitted.

4 But the record will close then, and my decision that
5 comes out ten days after the record closes will tell you what
6 was admitted and if something was rejected, a short explanation
7 as to why I found it either irrelevant or otherwise admitted it
8 and maybe have given it some lesser weight for whatever reason,
9 okay?

10 MS. GREEN: All right.

11 JUDGE TOREM: All right. I think we are adjourned,
12 then, at about 20 minutes to four.

13 Thank you all for your time.

14 MS. GREEN: Thank you.

15 MS. CAMERON-RULKOWSKI: And one more --

16 JUDGE TOREM: For the record?

17 MS. CAMERON-RULKOWSKI: Yes, for the record, please.

18 Ms. Pearson has given a business card to Ms. Green
19 that has her contact information on it.

20 JUDGE TOREM: Okay. Thank you for closing that loop.

21 MS. CAMERON-RULKOWSKI: Thank you.

22 MS. GREEN: Thank you.

23 (Proceedings concluded at 3:40 p.m.)

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C E R T I F I C A T E

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3 STATE OF WASHINGTON)

) ss

4 COUNTY OF KING)

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6 I, SHELBY KAY K. FUKUSHIMA, a Certified Shorthand Reporter
7 and Notary Public in and for the State of Washington, do hereby
8 certify that the foregoing transcript is true and accurate to
9 the best of my knowledge, skill and ability.

10 IN WITNESS WHEREOF, I have hereunto set my hand and seal
11 this 18th day of October, 2012.

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SHELBY KAY K. FUKUSHIMA, CCR

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19 My commission expires:

June 29, 2013

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