

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Penalty
Assessment Against

HAROLD LEMAY ENTERPRISES,
INC.

In the Amount of \$200

DOCKET TG-180253

NOTICE OF BRIEF
ADJUDICATION

SETTING TIME FOR ORAL
STATEMENTS

**(Set for August 24, 2018, at 9:30
a.m.)**

- 1 On April 20, 2018, the Washington Utilities and Transportation Commission (Commission) issued a Penalty Assessment in Docket TG-180253 against Harold LeMay Enterprises, Inc. (LeMay or Company) in the amount of \$200, alleging two violations of Washington Administrative Code (WAC) 480-70-201 Vehicle and Driver Safety Requirements, which adopts Title 49 Code of Federal Regulations (CFR) Part 396 – Inspection, Repair, and Maintenance, and Part 393 – Parts and Accessories Necessary for Safe Operation.
- 2 On May 25, 2018, LeMay filed with the Commission a contest of penalties and request for hearing. LeMay alleges that the Penalty Assessment is factually and legally deficient and requests a hearing before an administrative law judge to present evidence.
- 3 Pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission determines that a brief adjudicative proceeding is appropriate for determining whether the Penalty Assessment is deficient.
- 4 **THE COMMISSION GIVES NOTICE That it will hold a brief adjudicative proceeding in this matter at 9:30 a.m., on Friday, August 24, 2018, in Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
- 5 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative

proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.

6 Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide at its offices in Olympia, Washington, copies of documents in the current record for use by the parties or others who may want to review them.

7 Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission a list enumerating any such documents, and the documents themselves, no later than 5 p.m. on Monday, **August 13, 2018**, and bring an original and one (1) copy to the hearing. Filing shall be in accordance with WAC 480-07-140.

8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

9 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Jennifer Cameron-Rulkowski
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1186
jennifer.cameron-rulkowski@utc.wa.gov

Respondent: Harold LeMay Enterprises, Inc.
4111 192nd Street E.
Tacoma, WA 98446

Representative: Erik Laiho
John Payne
Davis Grimm Payne & Marra
701 Fifth Avenue STE 4040
Seattle, WA 98104
(206) 447-0182
elaiho@davisgrimmpayne.com
jpayne@davisgrimmpayne.com

10 Administrative Law Judge Laura Chartoff, from the Commission's Administrative Law Division, will preside during this proceeding.

DATED at Olympia, Washington, and effective July 18, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: Mark L. Johnson, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250.
(PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____