

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of

Dolly, Inc.

for a permit to operate as a
motor carrier

DOCKET TV-180605

DECLARATION OF SUSIE PAUL

Susie Paul, under penalty of perjury under the laws of the State of Washington, declares as follows:
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1. I am employed by the Washington Utilities and Transportation Commission (Commission) as a Compliance Investigator in the Consumer Protection section. As a Compliance Investigator, my responsibilities include conducting investigations regarding the business practices of regulated utility and transportation companies. As part of those duties, I investigate transportation companies that may be operating without the required commission-issued permit or certificate.
2. I am familiar with Dolly, Inc., (Dolly) as I was the assigned investigator in Docket TV-171212 in which the Commission issued Order 01 on January 10, 2018, instituting a special proceeding and complaint seeking to impose penalties. Order 01 alleged Dolly was engaging as a household goods carrier, a common carrier, and a solid waste hauler by advertising to do so, and without first obtaining the required permit or certificate from the Commission.¹
3. On April 9, 2018, the Commission issued Corrected Order 02, which classified Dolly as a household goods carrier, a common carrier transporting property other than household goods in the state of Washington, and a solid waste company offering to pick up, transport, and dispose of solid waste in Washington.²
4. In Corrected Order 02, Dolly was ordered to cease and desist jurisdictional operations until or unless it first obtained a permit or certificate from the Commission. Dolly was ordered to state clearly in its web-based application on the Internet and its advertising on Facebook Twitter, Pinterest, and any other social media sites or other platforms it uses or has used to make its services known, that it does not offer or perform services in the state of Washington. In Order 02, a penalty was imposed and suspended on condition of future compliance, and that the

¹ See Attachment A for a copy of Order 01, dated January 10, 2018.

² See Attachment B for a copy of Corrected Order 02, dated April 9, 2018.

Commission would investigate whether the company complied with the conditions of the suspension of the penalty.

5. On May 18, 2018, the Commission issued Order 04, which affirmed the ALJ's classification order and required Dolly to immediately cease operating as a household goods carrier, common carrier, and solid waste collection company until it first obtained authority from the Commission.³
6. Also in Order 04, the Commission ordered Dolly to clearly indicate in its web-based application on the Internet and in its advertising on Facebook, Twitter, Pinterest, and any other social media sites or other platforms it uses, or has used to make its services known, that it does not offer or perform services in the state of Washington as a household goods carrier, as a common carrier transporting property other than household goods, or as a solid waste hauler until it first obtained authority from the Commission.
7. Further, Order 04 assessed a penalty of \$69,000 against Dolly with the entire amount suspended until June 30, 2019, subject to the requirement in Corrected Order 02 that Dolly immediately cease and desist from the operations described and found unlawful. In the event that Dolly was found to have continued such operations after the date of the May 18, 2018, Order 04, at any time before June 30, 2019, the full penalty was due upon notice of that finding.
8. On June 8, 2018, the Commission issued Order 05, denying Dolly's May 29, 2018, Motion for Stay of Effectiveness of Final Order 04.⁴
9. On June 18, Dolly petitioned the Thurston County Superior Court for review of the Commission's Order 04. That same day, Dolly moved the Superior Court to stay Order 04 pending review.⁵
10. On June 29, 2018, I attended a hearing in Thurston County Superior Court. At that hearing, the assigned judge denied Dolly's motion to stay Order 04 without prejudice. To my knowledge, Dolly never renewed its motion.
11. On July 12, 2018, Commission Staff filed a motion for imposition of suspended penalty in the amount of \$69,000 for violations of Commission's Order 04, based on the evidence found that Dolly continued to advertise for, and perform, regulated services without operating authority from the Commission.⁶

³ See Attachment C for a copy of Order 04, dated May 18, 2018.

⁴ See Attachment D for a copy of Order 05, dated June 8, 2018, and Attachment E for a copy of Dolly's Motion to Stay Effectiveness of Final Order 04.

⁵ See Attachment F for a copy of Dolly's Motion to Stay Enforcement of Orders Pending Judicial Review, dated June 18, 2018.

⁶ See Attachment G for a copy of Commission Staff's Motion and Declaration, dated July 12, 2018.

12. On August 3, 2018, in Order 06, the Commission granted staff's motion for imposition of suspended penalty for Dolly's violation of Commission Order 04, and the full \$69,000 became due and payable.⁷
13. On August 31, 2018, the Commission issued Order 07, denying Dolly's August 20, 2018, application for mitigation of penalties.⁸ The Commission denied Dolly's petition for review of Order 07 by entering Order 08 on October 5, 2018.⁹ Dolly did not pay the penalty imposed in Order 06 after entry of that order, and it did not pay the penalty by the deadline imposed in Order 08.
14. On September 6, 2018, I reviewed Dolly's Facebook page. While it appears that Dolly removed its map and reference to the company being located in Seattle on its Facebook page, there was no language visible on Dolly's Facebook page indicating that Dolly does not offer or perform services in the state of Washington as a household goods carrier, as a common carrier transporting property other than household goods, or as a solid waste hauler, as required by Order 04. I did find on Dolly's Facebook page a current article "Tips & Tricks for Facebook Selling & Buying on Facebook Marketplace," posted by Dolly on Sept. 5, 2017, at 3:45 p.m.¹⁰
15. When I selected, the "Tips & Tricks..." article, I was rerouted to Dolly's Blog, which is connected to Dolly's website, and found a photo of two men wearing shirts with Dolly's logo and standing next to a truck. The article states, "Buying and selling on Facebook marketplace may feel unfamiliar now, but in the future, it could be the easiest way to buy and sell. Make sure you have all the right tips and tools to help you out – including Dolly. We'll bring you the truck and muscle you need to deliver your big items – and with us as your delivery option, you'll sell on Facebook even faster. Check out our Facebook reviews to learn why we're trusted with Facebook Marketplace deliveries every day."¹¹ *Words underlined for emphasis.*
16. The underlined words in paragraph 8: Dolly, truck and muscle, and Facebook Marketplace deliveries, are actually links that redirected me to Dolly's website which provides instruction on "How to Book a Dolly." At the bottom of the webpage, a "Cities" link is displayed.¹² When I selected the Cities link, a map of Cities with Dolly is displayed, with Seattle pinpointed. The map legend indicates Seattle is a city with Dolly available now. When I selected Seattle's pin, I was redirected to a page that displayed a Seattle landscape and a close-up map of the Seattle Metro area. The page also lists some of the neighborhoods Dolly serves.¹³

⁷ See Attachment H for a copy of Order 06, dated August 3, 2018.

⁸ See Attachment I for a copy of Order 07, dated August 31, 2018.

⁹ See Attachment J for a copy of Order 08, dated October 5, 2018.

¹⁰ See Attachment K for a screen capture of Dolly's Facebook page, printed on September 14, 2018.

¹¹ See Attachment L for a screen capture of Dolly's advertisement on pages 8 and 9, printed on September 6, 2018.

¹² See Attachment M for a screen capture of Dolly's website, printed on September 14, 2018.

¹³ See Attachment N for a screen capture of Dolly's website, Cities, printed on September 14, 2018, and September 20, 2018.

17. On September 6, 2018, I also selected the link “truck and muscle,” found on Dolly’s Blog. I was redirected to Dolly’s website that advertises “Furniture Delivery When You Need It.” The website offers a tool to “Estimate Your Moving Costs.” The website advertisement offers instructions on how to receive an estimate for moving: “Simply enter your pickup and drop-off location and the number of items you plan to move. This is an estimated price and is subject to change when adding more items, details, and options.”
18. Using the estimate tool found on Dolly’s website, I requested two estimates. The first estimate I requested, I entered pick-up and drop-off locations using valid addresses in Olympia, located in Thurston County, Washington, and entered 15 items to be moved. I immediately received an estimated cost of \$1,290-\$1,320. I requested a second estimate, using the same two addresses in Thurston County, with a request to move two items. I immediately received an estimate of \$140-\$170.¹⁴
19. On September 14, 2018, I conducted an Internet search on www.Dolly.com and found that Dolly continues to advertise as a household goods carrier, common carrier, and solid waste hauler. Dolly’s website says the Company’s most common “Dollies” include mini and small moves, apartment moves, Craigslist & Offerup Pick-Up and Delivery, Storage Moves, and Junk Removal.¹⁵
20. On September 18, 2018, I researched Dolly’s Twitter page.¹⁶ On the page, Dolly provides a web address: <https://dolly.com/cities>. I went to the advertised web address and was routed to Dolly’s website, and again to the “Cities With Dolly,” section that shows Dolly as being available now in Seattle.
21. On September 18, 2018, I reviewed Dolly’s Instagram page. A link: bit.ly/2NkfyA5 was placed prominently on the top of the page.¹⁷ When I selected the link, I was redirected to Dolly’s Blog, “Unboxed.” The Blog features an article posted by Dolly on Sept. 18, 2018, entitled, “Now Live in the Bay Area and Washington, DC: Dolly’s Available from Coast to Coast.” At the bottom of the article, Dolly writes: “Outside of SF and DC, but want to use Dolly? We’re also available in Boston, Chicago, Denver, Philadelphia, Portland, San Diego, and Seattle. If you don’t see your city listed, tell us where you’d like us to bring truck and muscle next!”
22. On September 20, 2018, I went to www.Dolly.com and requested a move. There were numerous types of moves to select. I selected the apartment move category. I requested a move within two points in Olympia, Washington. Dolly offers a comprehensive list of items to move and I selected the following household goods items: one couch (6 ft), dining table (medium seats 6-8), six chairs (dining), one book case, one two-piece leather recliner sectional, four large boxes, and seven medium boxes. I requested two helpers and requested a move for September 23,

¹⁴ See Attachment O for screen captures of estimates received on Dolly’s website, printed on September 6, 2018.

¹⁵ See Attachment P for a screen captures of Dolly’s website, printed on September 14, 2018.

¹⁶ See Attachment Q for a screen capture of Dolly’s Twitter page, printed on September 18, 2018.

¹⁷ See Attachment R for a screen capture of Dolly’s Instagram page, printed on September 18, 2018.

2018, with a first available start time at 8 a.m. I received a price of \$178. I requested a “standard” level of service, which states, “Your Helper will load, transport and place (items) in the room of your choice.”¹⁸

23. On October 9 and October 11, 2018, I reviewed Dolly’s Facebook page. The “About” page identifies Dolly as “Truck & Muscle, Anytime You Need It,” and “Moving & Storage Service - Transportation Service - Internet Company.”¹⁹
24. Dolly’s Facebook page also features an article: “Get Organized for Fall: How to Swap Out Seasonal Clothes.” The article was posted by Dolly on October 2, 2018.²⁰ When I selected the article, I was rerouted to Dolly’s Blog, which is connected to Dolly’s website. I found a photo of two men wearing shirts with Dolly’s logo and standing next to a truck. Several hyperlinks in the article redirected me to Dolly’s website.²¹
25. On October 9, 2018, I conducted an Internet search on www.Dolly.com and found that the company continues to advertise as a household goods carrier, common carrier, and solid waste hauler. Dolly’s website says the company’s most common “Dollies” include mini and small moves, apartment moves, Craigslist & Offerup Pick-Up and Delivery, Storage Moves, and Junk Removal.²²
26. On October 9, 2018, I reviewed the “Cities” page on www.Dolly.com. A map of the U.S. is shown with different locations pinpointed as either available now, or coming soon. Seattle is pinpointed as available now. When I selected Seattle’s pin, I was redirected to a page that features a photograph of Seattle’s landscape, a detailed map of the Seattle Metro area, and a partial list neighborhoods Dolly serves.²³
27. The “Cities” page on www.Dolly.com offers to provide an estimate of moving costs. I entered pick-up location in Lacey and a drop-off location in Olympia and requested to move five items. I immediately received an estimate of \$130-\$160.²⁴ The pick-up and drop-off locations I provided are in Thurston County, Washington State.
28. On October 9, 2018, I researched Dolly’s Twitter page.²⁵ On the page, Dolly provides a web address: <https://dolly.com/cities>. I went to the advertised web address and was routed to Dolly’s website, and again to the “Cities With Dolly,” section that shows Dolly as being available now in Seattle.
29. On October 9 and October 11, 2018, I reviewed Dolly’s Instagram page. A link, bit.ly/2ydLbBM, was placed prominently at the top of the page.²⁶ When I selected

¹⁸ See Attachment S for screen captures of a Dolly quote for apartment move, printed on September 20, 2018.

¹⁹ See Attachment T for a screen capture of Dolly’s Facebook About page, printed on October 11, 2018.

²⁰ See Attachment U for a screen capture of Dolly’s Facebook Article, printed on October 9, 2018.

²¹ See Attachment V for a screen capture of Dolly’s Blog with advertisements, printed on October 11, 2018.

²² See Attachment W for a screen captures of Dolly’s website, printed on October 9, 2018.

²³ See Attachment X for screen captures of Dolly.com “Cities” pages, printed on October 9, 2018.

²⁴ See Attachment Y for screen captures of Dolly.com “Get Estimate,” printed on October 9, 2018.

²⁵ See Attachment Z for a screen capture of Dolly’s Twitter page, printed on October 9, 2018.

²⁶ See Attachment AA for a screen capture of Dolly’s Instagram page, printed on October 11, 2018.

the link, I was redirected to Dolly's Blog, "Unboxed." At the bottom of the page, Dolly advertises, "We're here for all your moves," come wind, rain, or snowstorm!" The words "all your moves," is a hyperlink that redirected me to Dolly.com.

30. In Order 04, the Commission ordered Dolly, Inc. to clearly indicate in its web-based application on the Internet and in its advertising on Facebook, Twitter, Pinterest, and any other social media sites or other platforms it uses, or has used to make its services known, that it does not offer or perform services in the state of Washington as a household goods carrier, as a common carrier transporting property other than household goods, or as a solid waste hauler until it first obtains authority from the Commission.

31. On various dates in September and October 2018, including on October 11, I reviewed Dolly's Facebook page, Dolly's Blog, Dolly's website, Dolly's Twitter, and Dolly's Instagram pages. I found that Dolly has not complied with Order 04, by failing to clearly indicate in its web-based application on the Internet and in its advertising on Facebook, Twitter, Pinterest, and other social media sites or platforms it uses to make its services known, that it does not offer or perform services in the state of Washington as a household goods carrier, as a common carrier transporting property other than household goods, or as a solid waste hauler until first obtains authority from the Commission.

DATED this 11 day of October 2018, at Olympia, Washington.



SUSIE PAUL