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1                           BEFORE THE WASHINGTON UTILITIES  
2                           AND TRANSPORTATION COMMISSION

3 \_\_\_\_\_  
4 In re Application of                            )  
  )DOCKET NO. TV-130259  
5 B&Z MOVING, LLC                                )  
  )  
6 for a permit to operate as a                )  
motor carrier of household goods.         )  
7 \_\_\_\_\_

8  
9                           HEARING, VOLUME I  
10                          Pages 1 - 78  
11                          ADMINISTRATIVE LAW JUDGE ADAM TOREM

12 \_\_\_\_\_  
13                          1:32 - 3:36 p.m.  
14                          May 2, 2013  
15  
16                          Washington Utilities and Transportation Commission  
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A P P E A R A N C E S

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ADMINISTRATIVE LAW JUDGE:

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RAYNE PEARSON

PAGE NO.

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Household Goods Moving Company  
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EXHIBIT INDEX (cont.)

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A

DESCRIPTION

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Notice of Intent to Deny  
Application for Permanent  
Authority; Notice of  
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Request for Hearing by Zachary  
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UTC Consumer Protection and  
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Printout of company ad on  
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Printout from website:  
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contact information.

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Printout of Facebook profile  
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EXHIBIT	A	DESCRIPTION
RP-10	30	Printout of Zachary Gripp's Driver's License photo, and Facebook profile pages.
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P R O C E E D I N G S

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JUDGE TOREM: Good afternoon. My name is Adam Torem. I'm the administrative law judge for the Washington Utilities and Transportation Commission. It is Thursday, May the 2nd, 2013. It is a little after 1:30 p.m. We are in the Commission's headquarters in Olympia, Washington in room 206. This is Docket TV-130259. It's the application of B&Z Moving, LLC.

The reason we are here today is application for a household goods moving permit that was filed with the Commission on March 26th, 2013, issued a notice of intent to deny the application for permanent authority and gave B&Z Moving an opportunity for this hearing. My understanding is that Zachary Gripp, the owner of the company, the applicant, exercised that right, and we set up a schedule for a brief adjudication today. Mr. Gripp is here and Staff is represented as well, so we will take appearances in just a moment.

A brief adjudication is going to give you an opportunity to go ahead and state your case. Given the type of action the Commission is proposing, I'm going to have Staff make their case first today. They will be calling a witness, I understand, and offering a number of exhibits which you've already been handed a copy of.

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1 You are going to have an opportunity to file any  
2 objections to the exhibits if you think that they are  
3 not appropriate. You can object to them as irrelevant  
4 or otherwise, and also, once the witness is done  
5 testifying, have an opportunity to ask her questions.

6 At the end of Staff's case, I will give you a  
7 chance to testify yourself, call any of your own  
8 witnesses, and then you've handed me a couple of  
9 proposed exhibits as well. We will deal with those and  
10 Staff will have the same right to object. If you give  
11 sworn testimony or any of your witnesses do, Mr. Fassio  
12 will have an opportunity on behalf of the Commission to  
13 ask you questions and cross-examination as well.

14 It sounds real formal, but this is a brief  
15 adjudication and I want you to be relaxed as much as you  
16 can be and understand I'm trying to get at the facts  
17 behind things, and then I have ten days to issue a  
18 written decision. I could rule from the Bench, but I  
19 think given what's at stake here, I would rather take as  
20 much time as I need to get to the right decision, so  
21 that's the procedure for today. Any questions about  
22 that?

23 MR. GRIPP: No, sir.

24 JUDGE TOREM: The next procedure is for all the  
25 attorneys or company representatives to tell the court

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1 reporter for the record who they are, so if you listen  
2 carefully how Mr. Fassio does that, and if you get 80  
3 percent of the detail from your end that he gives, you  
4 will be perfect.

5 MR. FASSIO: Good afternoon, your Honor; Michael  
6 Fassio, assistant attorney general representing  
7 Commission staff. My address is 1400 South Evergreen  
8 Park Drive Southwest, PO Box 40128, Olympia, Washington,  
9 98504. My telephone number is (360) 664-1192. Fax  
10 number is (360) 586-5522, and my e-mail address is  
11 mfassio@utc.wa.gov.

12 JUDGE TOREM: Thank you, Mr. Fassio. Mr. Gripp,  
13 in front of you there is a microphone. If you pull it  
14 close and touch in that gray area, a red light will come  
15 on, and that will catch the sound amplification in the  
16 room. Go ahead and give me your name, spell it for the  
17 record, and your business address, and if there is a  
18 phone number, e-mail address associated with the  
19 company, that would be great too.

20 MR. GRIPP: My name is Zachary Gripp,  
21 Z-a-c-h-a-r-y, G-r-i-p-p. My business address is 11712  
22 Eighth Avenue South, Seattle, Washington. My phone  
23 number is (253) 355-1792; e-mail address,  
24 zachthemaniac@comcast.net.

25 JUDGE TOREM: The Staff has made various



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1 allegations that are contained in the notice of intent  
2 to deny, and to date, I've had a chance to review that  
3 document as well as, I think it was a one page, one  
4 sentence requesting a hearing today; is that correct?

5 MR. GRIPP: Yes, Your Honor.

6 JUDGE TOREM: I know you came all the way down  
7 here and you are raring to go to tell me your side, but  
8 I think in fairness to you that you have a chance to  
9 respond to each and every detail in front of the  
10 Commission that we hear from Mr. Fassio first.

11 MR. GRIPP: Not a problem, sir.

12 JUDGE TOREM: You are going to have an  
13 opportunity to ask questions. I don't see that you have  
14 some blank pen and paper in front of you. I could give  
15 you a pen right now if you need something to write with.  
16 Did you bring one?

17 MR. GRIPP: I didn't bring one, sir.

18 JUDGE TOREM: I've got another one in my pocket,  
19 and Holly is going to hand you some paper just in case  
20 you need to keep track of the Commission's lawyer and  
21 witness.

22 JUDGE TOREM: Mr. Fassio, are you ready to  
23 proceed?

24 MR. FASSIO: Yes, Your Honor. I can give a  
25 brief opening statement before proceeding with the

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1 witness.

2 JUDGE TOREM: I think that would be fine. I  
3 think it would help get everybody on the same page. Go  
4 from there.

5 MR. FASSIO: Thank you, Your Honor. The  
6 allegations are set forth in the Commission's notice of  
7 intent to deny the application that's been provided as  
8 Exhibit No. 2 in Staff's case. I won't go through all  
9 of those in detail in my opening statement, but  
10 WAC 480-15-302 sets forth requirements for provisional  
11 household goods authority. The company at this time has  
12 not been granted provisional authority.

13 Among those requirements is 302(4) which  
14 requires that the application not contain any indication  
15 of fraud, misrepresentation or erroneous information.  
16 Other criteria within that rule is that no other  
17 circumstances exist that cause the Commission to deny  
18 the application. Commission staff completes a  
19 background check on people named in the application, and  
20 the results of that check may result in the applicant  
21 not meeting fitness of standards and the denial.

22 Staff notes that even if the Commission grants a  
23 company provisional authority pursuant to WAC 480-15-302  
24 and meets the requirements of that section, the company  
25 must also meet requirements for permanent authority

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1 which are set out in WAC 480-15-305. That includes  
2 480-15-305(4). The applicant provides Staff evidence of  
3 a criminal background check on each person it employs or  
4 intends to employ that will have contact with the  
5 customer or customer's residence. The criminal  
6 background of employees may prohibit the company from  
7 obtaining a permit under Commission fitness standards.

8 Staff recommended the application be denied on  
9 the basis that it appears. B&Z Moving's application  
10 misrepresented or contained false information concerning  
11 the ownership of the business, which may prohibit the  
12 company from obtaining a permit under Commission fitness  
13 standards, and as such, issuing the permit is not in the  
14 public interest.

15 In particular, Staff's review of the application  
16 indicates the company has a co-owner or partner in the  
17 business, a Mr. Trick, who is not listed in the  
18 application as a co-owner or partner and that Mr. Trick  
19 has a criminal conviction and is a registered sex  
20 offender, which may prohibit the company from obtaining  
21 a permit under fitness standards. Staff will present  
22 its evidence through the testimony of Ms. Rayne Pearson  
23 and Ms. Sharon Wallace. Ms. Pearson will testify about  
24 Staff's investigation of B&Z Moving's application and  
25 the exhibits that support the notice of intent to deny,

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1 which were listed in Staff's filing last week as  
2 required. Ms. Wallace will testify briefly about a  
3 conversation she had with a person who filed a shipper  
4 support statement for the company who identified  
5 Mr. Trick and Mr. Gripp as co-owners of the business.

6 At this time I would ask the Commission to take  
7 official notice pursuant to WAC 480-07-495 of Exhibit  
8 No. 2, which is the notice of intent to deny, and I  
9 offer it for admission.

10 JUDGE TOREM: Mr. Gripp, what he's asked me to  
11 do is take a look at that stack you have in front of  
12 you, the exhibit lists, and the first three are really  
13 just Commission documents. If you take a look at them,  
14 the first one we didn't mention is your application. Do  
15 you recognize that?

16 MR. GRIPP: Yes, Your Honor.

17 JUDGE TOREM: It looks to be about ten pages  
18 long. Mr. Fassio just referred to the notice of intent  
19 to deny that's five pages, and I referred to earlier the  
20 one-page request for hearing. Have you had a chance to  
21 look at all those?

22 MR. GRIPP: Yes, Your Honor.

23 JUDGE TOREM: Any objection to me considering  
24 and admitting them into the record?

25 MR. GRIPP: No, Your Honor.

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1           JUDGE TOREM: Those are pretty standard. The  
2 rest will be supported by a witness. These are  
3 Commission documents, so I'm going to not only admit  
4 Exhibit 2 but also one and three and save Mr. Fassio the  
5 trouble of offering them separately. So one, two, and  
6 three are now admitted, and they are already part of the  
7 record in this case, but now they are officially part of  
8 the hearing record.

9           As we go through, I think you will find that  
10 Mr. Fassio will be referring to Ms. Pearson as the first  
11 witness. Am I correct on that?

12           MR. FASSIO: Yes.

13           JUDGE TOREM: And all of these other ones that  
14 are by her initials, RP, so when you see an exhibit he's  
15 referring to, that's how to follow the list. Are you  
16 ready to call your first witness, Mr. Fassio?

17           MR. FASSIO: Yes, Your Honor. Staff calls  
18 Ms. Rayne Pearson.

19           JUDGE TOREM: Ms. Pearson, I want Mr. Gripp to  
20 know I've heard Staff's opening comments. You can give  
21 me your opening comments now if you want or hold onto  
22 those until we hear from the witnesses and before you  
23 give your sworn testimony.

24           Quite often I find that if you start giving me  
25 your side of the story, it's hard to summarize it, so

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1 you can if you want now or you can hold off.

2 MR. GRIPP: I will hold off, Your Honor.

3 JUDGE TOREM: Ms. Pearson, if you will stand up,  
4 please?

5

6 RAYNE PEARSON, having been first duly  
7 sworn by the Washington  
8 State Certified Court  
9 Reporter, testified as  
10 follows:

11

12 JUDGE TOREM: Mr. Fassio?

13

14

15 E X A M I N A T I O N

16 BY MR. FASSIO:

17 Q. Good afternoon, Ms. Pearson. Can you state and  
18 spell your name for the record.

19 A. Rayne Pearson, R-a-y-n-e, P-e-a-r-s-o-n.

20 Q. Please state the name of your employer.

21 A. Washington Utilities and Transportation  
22 Commission.

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

25 A. Consumer protection manager.

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1 Q. How long have you been employed in this  
2 position?

3 A. In this position, for six months.

4 Q. How long have you been employed by the  
5 Commission?

6 A. Three years and four months.

7 Q. Can you briefly describe your responsibilities  
8 as they pertain to this matter?

9 A. Yes. This was originally investigated by  
10 another investigator who has since left our section, and  
11 I took over the investigation and verified all the  
12 information that he found and performed some additional  
13 investigative work.

14 Q. If I could turn your attention to the Exhibit  
15 marked Exhibit RP-1. Can you identify this exhibit?

16 A. Yes. This is a memorandum from Sharon Wallace,  
17 assistant director to Dave Pratt, assistant director of  
18 transportation safety, and it's regarding B&Z Moving's  
19 application for household goods permit, and it  
20 summarizes the research conducted and makes a  
21 recommendation with respect to that provision.

22 Q. Did you assist Ms. Wallace in preparing the  
23 contents of this memorandum?

24 A. Yes, I did.

25 Q. Take us through the Commission's process with

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1 this. When did B&Z Moving first come to the  
2 Commission's attention?

3 A. On November 28th, 2012, Staff found an  
4 advertisement on Craigslist.org for B&Z Moving which  
5 offered two men and a truck for \$80 per hour and  
6 provided contact information for Billy at  
7 (206) 380-6463.

8 Q. If I could turn your attention to the exhibit  
9 marked RP-2. Can you identify this exhibit?

10 A. This is the Craig's List ad that was posted on  
11 November 26 and printed by Staff on November 28th, 2012.

12 Q. If I could turn your attention to what's been  
13 marked as Exhibit RP-3. Can you identify this exhibit  
14 and explain it, please?

15 A. This is an e-mail between Staff using an assumed  
16 name to B&Z Moving at yahoo.com inquiring about -- I'm  
17 sorry. This is a response to Staff's e-mail to the  
18 company inquiring about a move, and it's addressed to  
19 Jeff, which is our staff member's assumed name, and it's  
20 from Billy. It describes the services they offer, two  
21 men and a truck for \$80 an hour. It states he's located  
22 in Burien. He estimates the move that Staff asked for  
23 as five to seven hours and then asks him to contact him  
24 directly at (206) 380-6463 if he would like to book his  
25 move with B&Z Moving or if he has any questions or



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1 concerns.

2 Q. Is there any mention in Exhibit RP-3 of any  
3 other individual involved in the business?

4 A. There is not.

5 Q. If I could turn your attention next to the  
6 exhibit marked RP-4. Can you identify and explain this  
7 exhibit, please?

8 A. This is another e-mail communication from Billy  
9 to our investigation staff responding to our staff  
10 member's question about an exact address for the  
11 company. Billy states that his address is 11712 Eighth  
12 Avenue South, Seattle, Washington, 98168, and he also  
13 offers to meet up prior to the move or invited our Staff  
14 person to his house to come and meet his wife.

15 Q. Following this information, did Staff conduct  
16 any search for the phone number or the name to get a  
17 full name of this person?

18 A. Yes, and the name that came up was William  
19 Anthony Trick.

20 Q. If I could turn your attention to the exhibit  
21 marked RP-12. Can you identify and explain what this  
22 exhibit is?

23 A. This is a compliance letter from Sharon Wallace  
24 sent to William Trick of B&Z Moving at 11712 Eighth  
25 Avenue South in Seattle, Washington, explaining that the

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1 Commission had information that they were conducting  
2 household goods moves without a permit and explaining  
3 the ramifications of advertising and operating as a  
4 household goods carrier without a permit.

5 Q. Was the company instructed to submit an  
6 application?

7 A. Or cease and desist, yes.

8 Q. And they were provided instructions and a phone  
9 number to call if they had questions?

10 A. Yes. There was a phone number to call if they  
11 had questions about household goods laws as well as a  
12 phone number to call if they had questions about  
13 licensing.

14 Q. Did Commission staff get any contact from B&Z  
15 Moving following this letter about the letter?

16 A. Yes. On February 4th, Zachary Gripp left a  
17 voice mail with Staff stating he had received the  
18 compliance letter.

19 Q. If I can turn your attention to what's been  
20 admitted into the record as Exhibit 1. Can you  
21 identify -- I know this has been admitted, but I get to  
22 briefly address this exhibit and what it is and when it  
23 was received.

24 A. It is the household goods moving company form  
25 application for B&Z Moving received by the Commission on

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1 February 13th, 2013.

2 Q. Is there identifying information as to where it  
3 was faxed from?

4 A. Yes. It was faxed from Westside Dermatology.

5 Q. Can you identify who is named in the  
6 application?

7 A. Zachary Gripp.

8 Q. Can you point us to those pages where he's  
9 named?

10 A. He's named on the first page and the second  
11 page. On the second page, which appears as Page 3 of  
12 the application, he's listed as the owner.

13 Q. Is he also the person that signed the  
14 application?

15 A. Yes.

16 Q. And is that on Page 6 of ten?

17 A. Yes.

18 Q. Are there any other persons named in this  
19 application?

20 A. No, there are not.

21 Q. Did the applicant on that Exhibit 1 include  
22 support statements?

23 A. Yes. There are three statements of support.

24 Q. Can you direct us to those?

25 A. It's on Pages 8, 9, and 10 of the exhibit.

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1 Q. Did you review these support statements?

2 A. Yes.

3 Q. In reviewing the support statements, did these  
4 statements suggest that Mr. Gripp is the only person  
5 involved in this business?

6 A. No, they do not. The first statement from  
7 Kristin Smith uses the pronoun "they." So does the  
8 second statement from Wendy Petrona. The third  
9 statement from James Collier, MD, says, "Both of these  
10 individuals are trustworthy and hardworking," and then  
11 again says, "Prices are competitive, good location, and  
12 honest individuals."

13 Q. Did Commission staff contact Mr. Zachary Gripp  
14 after receiving the application?

15 A. Yes.

16 Q. What was the nature of that contact?

17 A. It was to advise him that he cannot operate or  
18 advertise until he's been issued a provisional permit.

19 Q. If I could turn your attention to what's been  
20 marked RP-5. Can you identify and explain this exhibit,  
21 please.

22 A. This is one of the Web sites that came up during  
23 Staff's investigation. It's  
24 [www.betterthantherestmoversusa.com](http://www.betterthantherestmoversusa.com) that appears to be  
25 another carnation of B&Z Moving. It contains contact

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1 information for Billy or Zach at (206) 380-6463, which  
2 is the phone number belonging to Mr. Trick.

3 Q. In looking at this page, would you consider that  
4 this page contains online advertisements?

5 A. Yes.

6 Q. Do you have a date for the printout of this?

7 A. This is from March 23rd, but I viewed it again  
8 yesterday on May 1st.

9 Q. When you viewed it on May 1st, did you identify  
10 that it has changed at all?

11 A. No, nothing has changed.

12 Q. Is that number that's shown on Exhibit RP-5, is  
13 that the same number that's listed on the company's  
14 application for household goods moving?

15 A. I don't believe so. The phone number that's  
16 listed in the application appears in the top right-hand  
17 corner of that advertisement, and that's been identified  
18 as Zachary Gripp's telephone number.

19 Q. But there is another number down here --

20 A. Yes. For contact information, it has  
21 Mr. Trick's phone number.

22 Q. And that's the one that's in that box.

23 A. Correct.

24 Q. If you could turn your attention next to what's  
25 marked Exhibit RP-6. This is a two-page exhibit. Can

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1 you identify this?

2 A. This is the Facebook page for "Better Than the  
3 Rest Movers." The second page contains a description of  
4 the moving services that's identical to the language  
5 that's found on the betterthantherestmoversusa.com Web  
6 site, and it contains the same contact information for  
7 Billy or Zach at (206) 380-6463.

8 Q. Looking at Page 1 of that exhibit, there is an  
9 address and there is some contact information there; is  
10 that right?

11 A. Yes.

12 Q. Is that the same contact information that's  
13 provided in the company's application for household  
14 moving goods?

15 A. Yes, it is.

16 Q. Approximately when did you first view this page?

17 A. First on March 23rd and then again yesterday on  
18 May 1st.

19 Q. Were there any changes to it when you viewed it  
20 yesterday?

21 A. No, there were not.

22 Q. Would you consider this page to be an  
23 advertisement for intrastate moving services?

24 A. Yes, I would.

25 Q. If I could turn your attention to what's been

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1 marked Exhibit RP-7. Can you identify and explain this  
2 exhibit?

3 A. Yes. This is e-mail communications between  
4 Commission staff and Billy at B&Z Moving. Commission  
5 staff was inquiring about a date for a move, and Billy  
6 replies regarding his availability and also says, "I  
7 would be bringing my business partner Zach along to do  
8 the move. You can also check us out online at  
9 [www.bandzmoving.com](http://www.bandzmoving.com).

10 Q. For the record, what is the e-mail address that  
11 this came from?

12 A. This is the [bandzmoving@yahoo.com](mailto:bandzmoving@yahoo.com).

13 Q. Can you tell looking at that when it would have  
14 been sent?

15 A. February 28th, 2013.

16 Q. That's after the company filed its application;  
17 is that right?

18 A. Correct, and after they had been told to cease  
19 and desist operations pending the application status.

20 Q. You read there what has been stated in the  
21 e-mail about directing the person to a Web site. If I  
22 could turn you to what's been marked as Exhibit RP-8.  
23 Can you identify and explain this exhibit?

24 A. Yes. This is the contact page from  
25 [www.bandzmoving.com](http://www.bandzmoving.com), and it lists contact information

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1 for both Billy Trick and Zach Gripp.

2 Q. What was the date of this printout?

3 A. The date of the printout was March 23rd, but I  
4 viewed it yesterday again on May 1st.

5 Q. Did you identify any changes to this Web page  
6 when you viewed it yesterday?

7 A. No, there were not any changes.

8 Q. Based on the materials that we reviewed and that  
9 you saw in correspondence between the company and Staff,  
10 can you draw any inference as to what the B&Z in B&Z  
11 Moving stands for?

12 A. Yes. I assume it stands for Billy and Zach  
13 Moving.

14 Q. Based on Staff's investigation and interaction  
15 with the company, what, in your opinion, would a  
16 reasonable person conclude who might be responsible for  
17 the day-to-day operations of the business?

18 A. Billy Trick.

19 Q. I would like to turn your attention to what's  
20 been marked Exhibit RP-9. This is a two-page exhibit.  
21 Can you identify and explain the pages of this exhibit?

22 A. The first page is a Facebook profile for Billy  
23 Trick. The second page is a printout from the King  
24 County Sheriff's office offender WATCH sex offender  
25 registry page.



0025

1 Q. In viewing these, there are photographs on these  
2 pages?

3 A. Yes.

4 Q. In your view of those, do they appear to be the  
5 same person?

6 A. Yes.

7 Q. Is there an address listed on Page 2 of RP-9?

8 A. Yes. The registered address for William Anthony  
9 Trick is the 11700 block of Eighth Avenue South,  
10 Seattle, Washington, 98168.

11 Q. Does that address match the address listed by  
12 the company in its application?

13 A. Yes, it does.

14 Q. If I could turn your attention to what's been  
15 marked Exhibit RP-10. This is the four-page exhibit.  
16 Can you identify and explain the pages of this exhibit?

17 A. The first page is Zachary Gripp's driver's  
18 license that was submitted to the Commission along with  
19 his household goods permit application. The second page  
20 is a photo from Zachary Gripp's Facebook profile. The  
21 third page is the cover photo and profile photo from  
22 Zachary Gripp's Facebook page, and the last page is  
23 Zachary Gripp's family relationships on Facebook, which  
24 shows that he has a sister named Ashley Gripp, and  
25 Mr. Trick is pictured in the photo with Ashley Gripp.

0026

1 Q. If I could turn your attention to what's been  
2 marked Exhibit RP-11. This is a two-page exhibit. Can  
3 you identify the pages of this exhibit?

4 A. The first page is the cover and profile photos  
5 for Ashley Gripp's Facebook page, which depicts Ashley  
6 Gripp, Billy Trick, and a small boy. The second page is  
7 the work and education information from Ashley Gripp's  
8 Facebook profile showing that she is employed by  
9 Westside Dermatology and that in 2012, she got engaged  
10 to Billy Trick.

11 Q. Based on Staff's analysis of these exhibits that  
12 you just described, did Staff draw any conclusions  
13 regarding a relationship between Mr. Gripp and  
14 Mr. Trick?

15 A. Yes. It appears that Mr. Trick is in a  
16 relationship with Mr. Gripp's sister.

17 Q. I'm going to ask you a few questions about a  
18 criminal background check process. Does Staff conduct  
19 criminal background checks on every applicant for a  
20 household goods carrier permit?

21 A. Yes, we did.

22 Q. What exactly do you check when you check an  
23 applicant's criminal history?

24 A. We run a Washington State Patrol WATCH report.

25 Q. Can you just briefly describe, what is a WATCH

0027

1 report?

2 A. It's a summary of a person's criminal history.

3 Q. Did Staff order a WATCH report for William  
4 Anthony Trick?

5 A. Yes, we did.

6 Q. Can I turn your attention to what's been marked  
7 as Exhibit RP-13. Is this a true and correct copy of  
8 the WATCH report that was ordered for William Anthony  
9 Trick?

10 A. Yes, it is.

11 Q. What does it show?

12 A. It shows two felony convictions of child  
13 molestation in the first degree.

14 Q. Before a company is issued permanent household  
15 goods authority, does it require the company submit to  
16 Staff evidence showing that the company has done a  
17 criminal background check on each person it employs or  
18 intends to employ that will have contact with the  
19 customer or customer's residence?

20 A. Yes, it does.

21 Q. Would a WATCH report like the one in Exhibit  
22 RP-13 be the type of report that would be generated?

23 A. Yes, it is.

24 Q. Would the Commission likely consider such  
25 evidence as a factor in any decision on permanent

0028

1 authority?

2 A. Yes.

3 Q. If in this case B&Z Moving were to be granted  
4 provisional authority, would the requirement on  
5 background checks apply to it?

6 A. Yes.

7 Q. If B&Z Moving does not receive a permit in this  
8 proceeding, is it likely you again will check the Web  
9 sites and other pages you viewed online to see if the  
10 company is advertising instate residential moving  
11 services?

12 A. Yes, we will.

13 MR. FASSIO: I have no further questions for  
14 Ms. Pearson at this time, and I would offer the  
15 following exhibits for admission into evidence:  
16 Exhibits RP-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and  
17 13. That's all of them.

18 JUDGE TOREM: Mr. Gripp, I think Commission  
19 staff has laid out the background for why we are here  
20 today and specific details. First let's turn to the  
21 exhibits. Were you able to follow along as we ran  
22 through all of them?

23 MR. GRIPP: Yes, Your Honor.

24 JUDGE TOREM: Do you have any objections or  
25 concerns with them being irrelevant to the decision I'll

0029

1 have to make in the case?

2 MR. GRIPP: Honestly, Your Honor, I believe most  
3 of it is irrelevant due to the fact that I was not  
4 trying to hide William Trick from the Commission because  
5 he's not a part of the company.

6 JUDGE TOREM: Let's get that testimony from you  
7 when we get to your side of the case, but for the  
8 Commission's case, they think these are relevant. You  
9 can tell me later on if you want me to give them weight.

10 If you want me to not consider them at all,  
11 let's point to the ones that you say, Judge, don't  
12 consider those, and we will talk about them  
13 individually. So let's start with RP-1, the overall  
14 investigation memorandum. Any objections to that one?

15 MR. GRIPP: I don't think I have any objections  
16 more or less explaining what they are about.

17 JUDGE TOREM: I'm going to give you an  
18 opportunity to ask questions of Ms. Pearson and have her  
19 further explain anything she said, and if you want to  
20 waive that, I have some questions for her and that may  
21 prompt some questions. Do you want me to hold off on  
22 admitting these until you have the chance of telling me  
23 your side of things? That may be more appropriate.

24 MR. GRIPP: I don't really understand. After  
25 they are submitted, what does that mean?

0030

1           JUDGE TOREM: It doesn't mean they are a fact  
2 and that you can't rebut the facts or alleged facts in  
3 them. Admitting them just means I'm going to consider  
4 them as I figure out what the decision is going to be.

5           MR. GRIPP: That doesn't bother me.

6           JUDGE TOREM: Then we will admit all of these.  
7 I don't see any irregularities here. There is some  
8 questions as to if I were in your seat I would consider  
9 relevant, but I understand where the Commission is  
10 coming from, so I'm going to admit RP-1 through RP-13.  
11 Now, back to that point where you have an opportunity to  
12 ask Ms. Pearson anything she testified to. Do you want  
13 to take that opportunity?

14           MR. GRIPP: I'm curious to how you got an  
15 advertisement from November 28th, yet I didn't receive a  
16 notification until February 1st of why you waited so  
17 long to let the company keep advertising when you know  
18 they don't have a permit, if that makes sense.

19           JUDGE TOREM: Ms. Pearson.

20           MS. PEARSON: That was due to being  
21 short-staffed and having a backlog of work.

22           JUDGE TOREM: Any other questions?

23           MR. GRIPP: No, I don't think so.

24           JUDGE TOREM: Ms. Pearson, I have some  
25 questions.

0031

E X A M I N A T I O N

1

2 BY JUDGE TOREM:

3 Q. If you will turn back, we are going to look at  
4 RP-9, Page 2. This is the offender WATCH for Mr. Trick?

5 A. Uh-huh.

6 Q. I think you testified as to what was the nature  
7 of the offense. Can you make sure you read into the  
8 record the details of the dates and locations of the  
9 convictions and any indication that's shown on this  
10 about when and where he might have served jail time?

11 A. The conviction was on November 27th, 1999 in the  
12 State of Washington. He was released on May 21st of  
13 2004. I don't see any information about where he was  
14 incarcerated.

15 Q. If we turn to RP-13, the WATCH report, does that  
16 have additional detail?

17 A. It should, yes.

18 Q. Why don't you take a minute and flip back  
19 through this and see if you can tell me -- I think the  
20 conviction date was the November '99 that you referred  
21 to; is that right?

22 A. Yes, and it looks like he was incarcerated in  
23 Shelton at the Department of Corrections.

24 Q. Does the WATCH report call out anywhere of what  
25 the date of the alleged offense was? I guess when he

0032

1 was convicted.

2 A. It's November 23rd, 1999.

3 Q. That's what I see is the disposition date.

4 A. I see what you are saying. The actual arrest  
5 should be on here.

6 Q. I'm just scanning this. I don't see the exact  
7 date.

8 A. That is July 8th, 1999. It appears on Page 2.

9 Q. So if I understood your investigation, there  
10 were two different concerns about B&Z Moving, well,  
11 probably three. First, they were operating without a  
12 permit; is that correct?

13 A. Correct.

14 Q. Second, when you got in touch with the company  
15 on February 1st, did they respond and file an  
16 application?

17 A. That wasn't me that responded, but yes, they  
18 responded and filed an application.

19 Q. And from there, you found that, if I understood  
20 RP-5 and RP-6, these were the Better Than the Rest  
21 Movers that you corrected on March 23rd and reviewed  
22 against yesterday, and there were still additional  
23 advertisements going on under a different name than was  
24 contained in the application; is that correct?

25 A. Correct.



0033

1 Q. So all of that would be under what I would call  
2 concern number one, operating without a permit. You've  
3 also testified to concern number two, which appears to  
4 be how the application was filed and in whose name?

5 A. Correct.

6 Q. Can you explain in your own words what the  
7 Commission's actual concern is as to how Mr. Gripp filed  
8 the application?

9 A. Our concern is that it contains false  
10 information, because our investigation led us to believe  
11 that Billy Trick is a full partner in the business, and  
12 in fact, even more active in communications with  
13 customers.

14 Staff didn't have any interactions with  
15 Mr. Gripp other than the official interactions in  
16 response to the compliance letter and with respect to  
17 the application. All of the undercover interactions  
18 were with Billy Trick who held himself out as the owner  
19 of the business and appeared to be responsible for  
20 day-to-day operations.

21 Q. When did you first encounter Mr. Gripp's name?

22 A. Let me look at the memo because it wasn't  
23 actually me. It was the other investigator. I'm not  
24 exactly sure when the investigator made that connection.

25 Q. So would I be correct in the paperwork that I

0034

1 saw the first time the Commission knew of Mr. Gripp's  
2 involvement in B&Z Moving was the filing of the  
3 application?

4 A. No. The compliance letter that was addressed to  
5 William Trick was cc'd to Mr. Gripp, but I'm not sure  
6 how his name came up in Mr. Parkinson's investigation  
7 initially.

8 Q. So at least as of 1 February when the letter  
9 went out, the connection had been drawn between the two?

10 A. Yes.

11 Q. So that's the second concern, these two people  
12 but only one person showing up on the application; is  
13 that fair?

14 A. Yes.

15 Q. The third concern is apparently and obviously  
16 Mr. Trick's criminal background.

17 A. Yes.

18 Q. I don't want you to state the obvious as to the  
19 nature of the offenses of which he was convicted in 1999  
20 and apparently served somewhere between four and five  
21 years of jail time in Shelton.

22 Can you state today the concern with Mr. Trick's  
23 criminal background and just that; not the application,  
24 not the unpermitted aspects. Why is the Commission  
25 concerned about having a household goods permit possibly

0035

1 issued not only to a felony but a registered sex  
2 offender?

3 A. Because of the nature of the household goods  
4 moving industry with individuals coming into people's  
5 homes and coming into close contact with people and  
6 their children, we feel it would be putting the public  
7 at risk.

8 Q. Does the Commission have a list of criminal  
9 offenses that it considers as a permanent bar to entry  
10 to this particular industry?

11 A. It does. Within a five-year window, there is a  
12 list of certain types of crimes.

13 Q. We are clearly outside the five-year window. Is  
14 there any permanent bar for in this case a 1999 to 2013  
15 that appears that this summer it will be 14 years since  
16 the arrest?

17 A. Not that's explicitly laid out in the rules.  
18 There is a catch-all section about other factors that  
19 this would fall under from our perspective.

20 Q. I guess I'm just trying to make sure I  
21 understand the Commission's position as to is there any  
22 amount of time that would go up for this particular  
23 offense that the Commission would say, All right; it's  
24 been long enough, or how would you evaluate a person to  
25 determine if they could ever get a permit?

0036

1 A. No, no amount of time.

2 Q. So understanding this would be essentially a  
3 forever bar.

4 A. Correct.

5 Q. You referred to the Commission's five-year.  
6 That's in Washington Administrative Code; correct?

7 A. Correct.

8 Q. Is there any WAC to back up your most recent  
9 statement that it's a forever bar?

10 A. Not explicitly spelled out. Again, it would be  
11 in the catch-all of the Commission's discretion.

12 Q. So it's the Commission's discretion the duty to  
13 protect the public that the Commission would consider  
14 this a permanent ban.

15 A. Correct, that would outweigh the risk.

16 Q. If we back up entirely as to the background  
17 question, without Mr. Trick's specific situation  
18 involved, what is it you consider as a general policy as  
19 to am I going to grant this application? Assuming you  
20 are the one that would sign off on it, what would you  
21 say the Commission's thought process is in considering  
22 the fitness of an individual?

23 A. In general or in this particular case?

24 Q. In general.

25 A. Whether or not it would be in the public

0037

1 interest.

2 Q. What does that mean?

3 A. Whether or not it would pose a danger to the  
4 public in any capacity. I think my thought process  
5 would be if I were to -- the likelihood of something  
6 occurring if I were to grant the permit and then that  
7 occurred, would the Commission somehow be responsible  
8 for having given that individual a permit knowing what  
9 it knew at the time.

10 Q. You feel a responsibility to the public in  
11 general to make sure that anyone getting a permit is at  
12 least on the surface trustworthy to enter their home?

13 A. Absolutely.

14 Q. If people call the Commission and ask if someone  
15 has a license, isn't that what the Commission is at  
16 least representing, that they've checked into them?

17 A. Yes.

18 Q. If they don't have a permit, what does the  
19 Commission tell people?

20 A. We tell them that they do not have a permit and  
21 that we don't recommend they ever go with somebody who  
22 doesn't have a permit because the Commission has been  
23 unable to do any due diligence to insure that that  
24 company is above board and safe to work with.

25 Q. Has the Commission denied other applications for

0038

1 criminal background issues?

2 A. Yes, it has.

3 Q. How often does that occur?

4 A. The denial? In the time that I've worked here,  
5 it has only been brought forth on one occasion, and it  
6 was denied on that one occasion.

7 JUDGE TOREM: Mr. Gripp, does that raise any  
8 additional questions that you might want to follow-up  
9 with this witness at this time? You get to tell me your  
10 side of the story. Do you have any questions for the  
11 witness?

12 MR. GRIPP: I don't believe so, Your Honor.

13 JUDGE TOREM: Mr. Fassio, did I raise anything?

14 MR. FASSIO: No, Your Honor.

15 JUDGE TOREM: So we are ready to call your next  
16 witness.

17 MR. FASSIO: Staff calls Ms. Sharon Wallace.

18 JUDGE TOREM: Ms. Wallace, I may actually be  
19 taller than you today.

20

21 SHARON WALLACE, having been first duly  
22 sworn by the Washington  
23 State Certified Court  
24 Reporter, testified as  
25 follows:

0039

1 JUDGE TOREM: Mr. Fassio, your witness.

2

3

4 E X A M I N A T I O N

5 BY MR. FASSIO:

6 Q. Ms. Wallace, can you please state your full name  
7 and spell it for the record?

8 A. Sharon Wallace, S-h-a-r-o-n, W-a-l-l-a-c-e.

9 Q. Please state the name of your employer.

10 A. Washington Utilities and Transportation  
11 Commission.

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

14 A. Assistant director for consumer protection and  
15 communications.

16 Q. How long have you been employed in this  
17 position?

18 A. Five years and eight months.

19 Q. How long have you been employed by the  
20 Commission?

21 A. Five years and eight months.

22 Q. Did you review the application for B&Z Moving?

23 A. I did.

24 Q. Did you prepare the memorandum that is contained  
25 in Exhibit RP-1 that Ms. Rayne Pearson testified?

0040

1 A. In collaboration with Ms. Pearson.

2 Q. I would like to refer you to -- you have it in  
3 front of you -- Exhibit 1. That's B&Z Moving's  
4 household permit application, particularly Pages 8  
5 through 10. Did you review these three pages?

6 A. Yes, I did.

7 Q. Did you attempt to contact these three  
8 individuals to confirm their statements?

9 A. Yes.

10 Q. Were you able to reach any of the individuals?

11 A. Yes, just one, a Dr. Collyer.

12 Q. His statement is on Page 10?

13 A. Correct.

14 Q. When did you contact him?

15 A. On March 6th of this year.

16 Q. Can you recall for us your conversation with  
17 Mr. Collyer?

18 A. I contacted him via the phone number shown on  
19 the statement of support and he answered, and I  
20 explained who I was and that I worked for the Commission  
21 and that I was reviewing statements of support for B&Z  
22 Moving.

23 He recalled having submitted such a statement.  
24 I read to him his address to insure it was correct, and  
25 I read to him his three written statements and asked if



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1 he thought those were accurate. He said yes, and prior  
2 to ending the conversation, I asked him to restate the  
3 names of the owner of the company, and he stated that  
4 the owners were Zachary Gripp and Billy Trick. I  
5 thanked him for his time and ended the call.

6 Q. Did you do any search for Mr. Collyer on the  
7 Internet?

8 A. I did prior to calling to insure that it was an  
9 actual person.

10 Q. Were you able to reach any conclusions as to  
11 where this person may be employed?

12 A. My understanding was that the gentleman was  
13 employed by Westside Dermatology in Seattle.

14 Q. Again, that was the same place -- if you look at  
15 Exhibit 1, that's the name that appears at the top of  
16 the fax; is that right?

17 A. Correct.

18 Q. You heard the testimony from Ms. Pearson in  
19 response to some questions from the judge. I would like  
20 to give you an opportunity if you have anything to add  
21 regarding Commission staff's policy when it reviews  
22 applications for fitness and concerns that you had  
23 reviewing this application.

24 A. I do not.

25 MR. FASSIO: I don't have any more questions for

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1 Ms. Wallace at this time.

2 JUDGE TOREM: Thank you Mr. Fassio. Do you have  
3 any questions for Ms. Wallace, Mr. Gripp?

4 MR. GRIPP: No, sir.

5

6

7 E X A M I N A T I O N

8 BY JUDGE TOREM:

9 Q. Ms. Wallace, if we go back to the statements  
10 that Mr. Collyer made?

11 A. Yes.

12 Q. When I look at his description of both Mr. Gripp  
13 and Mr. Trick, he calls them trustworthy, hardworking,  
14 competitive in price and honest, so I guess trustworthy,  
15 hardworking and honest. How did you evaluate his  
16 accuracy from what you could, just on paper, say about  
17 these individuals in the application process you  
18 observed?

19 A. Overall, I would disagree with those statements  
20 because myself and investigative staff, came to the  
21 conclusion, a conclusion that the application was not  
22 full and complete by the omission of Mr. Trick.

23 Mr. Trick, criminal record, which has a lifetime  
24 registration requirement to it, made it difficult for me  
25 to believe in trustworthy.

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1           JUDGE TOREM: Those are all the questions I had  
2 on that. Any other questions, Mr. Gripp, before I move  
3 on from Mr. Fassio's side of the case?

4           MR. GRIPP: I don't think so.

5           JUDGE TOREM: We are about to that point where  
6 you are going to get to talk. We have been going close  
7 to an hour. I think it might benefit everybody to  
8 gather your thoughts and give you a chance to confer  
9 with Mr. Trick. He's here today, I understand. Before  
10 we take a couple of minutes break, you didn't have any  
11 additional questions for Ms. Wallace, Mr. Fassio?

12          MR. FASSIO: No.

13          JUDGE TOREM: Did you have any additional  
14 evidence from Commission staff?

15          MR. FASSIO: No, Your Honor.

16          JUDGE TOREM: So what I would like you to do,  
17 Mr. Gripp, is confer with Mr. Trick, decide how you want  
18 to present your case, if one or both of you is going to  
19 testify today. You certain can. You don't have to.  
20 You can just give me the legal argument as to why you  
21 think Commission staff's position shouldn't follow that  
22 recommendation to deny the application, but you have an  
23 opportunity to testify.

24                 If you do, of course that helps me get more  
25 facts in on your side of things. If it's just legal

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1 arguments, that's one thing. If it's facts, I've got to  
2 put you under oath. That also means that Mr. Fassio can  
3 ask you questions. I may have some questions for you or  
4 anyone that testifies on your behalf, and then we will  
5 get to these other documents that you handed to me when  
6 we started.

7 MR. GRIPP: Yes, Your Honor.

8 JUDGE TOREM: We will come back in 10 minutes at  
9 twenty five 'til, and I will swear you and your  
10 witnesses in and we will proceed from there. Any  
11 questions?

12 MR. GRIPP: No, Your Honor.

13 (Recess.)

14 JUDGE TOREM: Is everyone ready to go back on  
15 the record?

16 MR. FASSIO: Yes.

17 MR. GRIPP:

18 JUDGE TOREM: Tell me, now that you've had a  
19 chance to confer, how would you propose to proceed?  
20 Would you like me to swear you both in as potential  
21 witnesses?

22 MR. GRIPP: Yes, Your Honor.

23

24 ZACHARY GRIPP and WILLIAM TRICK, having been  
25 first duly sworn by the

0045

1  
2  
3  
4

Washington State Certified Court  
Reporter, testified as follows:

5           JUDGE TOREM: What I would prefer for the ease  
6 of the court reporter and creation of the record is that  
7 we go one at a time, so we will start -- Mr. Gripp, you  
8 are here to represent the company today and filed the  
9 application -- start with you, and you are under oath,  
10 so you don't have to ask yourself any questions and  
11 answer them. Just give me your straight testimony,  
12 narrate, whatever you think I need to know. When you  
13 are done, I may flesh out some of the questions. At  
14 that point, I'll give Mr. Fassio a chance to ask you  
15 questions.

16           MR. GRIPP: Yes, Your Honor. So I guess I'll  
17 begin with an opening statement.

18           JUDGE TOREM: You can begin with an opening  
19 statement or tell me your side of the story, and then  
20 we'll get to these other documents as we go.

21           MR. GRIPP: I would like to say that I only met  
22 Billy a couple of years ago, and the first day I met  
23 him, my sister told me about his past, and right off the  
24 bat, just like the UTC did, I assumed he was a bad  
25 person, but over the last two years, I've gotten to know

0046

1 him really well, and I've realized he's actually really  
2 a good person, and I would honestly trust him with my  
3 own daughter, who is three years old.

4 I would also like to say I was not trying to  
5 hide Billy from the UTC. The fact is that he's not an  
6 employee or a co-owner. All the UTC's justifications  
7 are based on assumptions, not facts.

8 I guess I would like to go to RP-5 where it  
9 talks about Better Than the Rest Moving. That was a  
10 failed attempt at a company. We were not Better Than  
11 the Rest Moving. We were trying out the name and some  
12 company called us saying that they could put us out on  
13 the front page of Google and they would get us all these  
14 things and it will be great advertising, blah blah blah,  
15 and it turned out to be a scam, so we dumped the name,  
16 dumped everything and started fresh, so they created all  
17 of it. I don't have access to any of it. I can't shut  
18 it down. I can't change it. Nothing I can do about it.  
19 I don't know why it's still up when I told them I wanted  
20 everything canceled, but I haven't looked for it, and I  
21 certainly didn't know it was still active or accessible.

22 RP-7, the e-mails back and forth between Jeff  
23 and Billy in February, I would just like to state that  
24 Billy was -- since we submitted the application, we  
25 weren't allowed to advertise, so Billy knew that I

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1 wasn't getting any jobs, like all the money I've  
2 invested in the company has just been sitting there  
3 waiting and waiting, so Billy on the 28th when we got  
4 Jeff's e-mail, Oh, I can help out Zach, help him make  
5 money because he's sitting there swimming in the assets  
6 that he put into the company, and then how he stated  
7 that --

8 JUDGE TOREM: He's going to testify perhaps to  
9 exactly what he did or intended?

10 MR. GRIPP: Okay.

11 JUDGE TOREM: So that's what you know about it?

12 MR. GRIPP: That wasn't due to any  
13 advertisement, and it wasn't actually going to happen  
14 because I would have put a stop it because we weren't  
15 allowed to move household goods. I was doing things the  
16 right way, so regardless of what the e-mail would have  
17 said, the job wouldn't have happened and I would have  
18 had to call Jeff and apologize and maybe come up with  
19 another friend of ours that has a moving company.

20 JUDGE TOREM: Okay.

21 MR. GRIPP: RP-8 states how it has Billy Trick's  
22 name on it and contact information. It does. That's a  
23 fact, because when we first came up with the company  
24 back in November, we were working together and it was  
25 going to be our company and everything, so we created a

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1 Web site. We put a lot of money into creating this Web  
2 site and getting everything set up for when we were  
3 going to start the application and everything, and  
4 actually, springtime is when we were going to start, and  
5 so we put a lot of money into it, and then after  
6 submitting the application or just prior to submitting  
7 the application, Billy Trick decided he couldn't be part  
8 of the company anymore for his own reasons. He told me  
9 there are personal and financial reasons, which I left  
10 at that.

11 JUDGE TOREM: When was the timing on that  
12 decision?

13 MR. GRIPP: It was actually right when we got  
14 the notification February, like 1st or 2nd, a couple of  
15 days before I went through with filing for the  
16 application. Not the UTC's application but the actual  
17 business permit and becoming a legal business. He  
18 decided he couldn't wait and he didn't want to be part  
19 of it.

20 The Web site still says Billy Trick and  
21 everything because it takes money to change all that,  
22 and if we were waiting on the UTC I didn't have any more  
23 money to change it, and after we started going, after I  
24 did a couple of moves, it was going to get changed right  
25 off the bat. So it still says Billy because it takes



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1 money, which we weren't allowed to make, and B&Z Moving  
2 did stand for Billy and Zach Moving, LLC, and he dropped  
3 out, but I still like the name B&Z Moving. It's short  
4 and catchy and it's easy to say when answering the  
5 phone, and coming up with a new name is difficult  
6 because there is a lot of names out there that are taken  
7 already, and plus I just like it, so I don't feel I  
8 should have to change the name just because Billy isn't  
9 a part of it anymore.

10 The address is 11712 Eighth Avenue South in  
11 Seattle. That's where I keep my truck. Most of my  
12 moves are in Seattle, and I charge a roundtrip in travel  
13 time, so if I kept it at my place and my business of  
14 residence was in Tacoma, where I live, then I would have  
15 to charge people who live in Seattle from Tacoma to  
16 Seattle and back, and I feel like a lot of people would  
17 not go with my company because of that, and plus, I keep  
18 my truck there to save gas, so I feel it's legitimate to  
19 keep that as my address because that's where my assets  
20 are.

21 After we get our household goods moving permit  
22 and I'm able to do jobs in which I have to hire people,  
23 which I haven't done yet because we haven't gotten the  
24 permit, I will do background checks and all of that that  
25 is required of me as the owner of this company; I

0050

1 promise, and the statements...

2 JUDGE TOREM: It's on Exhibit 1. It's the last  
3 three pages.

4 MR. GRIPP: Exhibit 1, to assume that I was  
5 lying because the support statements say they did things  
6 like that is irrelevant because for one, they represent  
7 the company, my company, and two, no mover ever moves  
8 alone. You can't move a couch up three flights of  
9 stairs by yourself, so they always have a person working  
10 with me, and they know that the people I choose will be  
11 trustworthy, so the statements of "they" and "we" is  
12 irrelevant because I will never you be working alone,  
13 ever.

14 Dr. Collyer's statement, he also made  
15 assumptions that Billy was part of the company. My  
16 sister works at his office and he goes and visits her  
17 and I'm sure talks about when back from to November  
18 until February he talked about being excited about  
19 coming into the moving business and things like that, so  
20 it was only natural for Dr. Collyer, when my sister  
21 asked him for a support statement, to assume Billy was  
22 part of the company.

23 I would also like to point out that I've been on  
24 numerous moves. I've been with A-Raise Moving  
25 Solutions, and not one time have I ever encountered

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1 children on a move, ever. It's a terrible place for  
2 kids to be. I imagine they would only get in the way  
3 asking questions, walking around, playing with their  
4 toys as we are trying to move boxes out. Not that I  
5 would be against it. Honestly, I've never seen it.

6 JUDGE TOREM: Anything else, Mr. Gripp?

7 MR. GRIPP: That has to do with me, I have  
8 nothing else, Your Honor.

9 JUDGE TOREM: Since we do one witness at a time,  
10 let's see if Mr. Fassio has any questions.

11 MR. FASSIO: Yes, Your Honor.

12

13

14 E X A M I N A T I O N

15 BY MR. FASSIO:

16 Q. Is A-Raise a permitted company?

17 A. Yes, sir.

18 Q. Is it permitted with the UTC?

19 A. Yes, sir.

20 Q. You stated that you keep your truck at that  
21 address in Seattle. Isn't that also the same address  
22 that Mr. Trick is registered at?

23 A. Yes.

24 Q. So you list that as the physical address of your  
25 company?

0052

1 A. Is that a problem? It's the physical address of  
2 my company because that's where I keep my truck, which  
3 is technically my office, so I feel like it's not any  
4 false information.

5 Q. But Billy Trick also lives there; is that  
6 correct?

7 A. Yes. That's also been stated. Is there a point  
8 to that?

9 JUDGE TOREM: I'll have to decide that as I make  
10 my decision, Mr. Gripp.

11 Q. The mailing address you mentioned that you live  
12 at in Tacoma, is that the address that you list in your  
13 mailing address?

14 A. Yes, sir, 107 134th Street East, Tacoma.

15 Q. You referred to earlier you kept using "we" when  
16 you were describing your business earlier in November  
17 and December. Was Mr. Trick assisting you at that time  
18 with your business?

19 A. Yes, sir, assisting.

20 Q. So it's your testimony that on February 1st or  
21 2nd right after you received the Commission's notice,  
22 that is when Mr. Trick decided he didn't want to be part  
23 of the business; that was your testimony?

24 A. Yes.

25 Q. But isn't it true that he was still answering

0053

1 e-mails on behalf of the company as of February 28th?

2 A. He did answer it but it was not upon my request  
3 or any need. Nobody asked him to. He just thought he  
4 was trying to help me out, so he answered back for me.

5 Q. So can you think of any reason why he would  
6 describe you as his business partner on February 28th?

7 A. I can only make assumptions. Maybe you can hold  
8 that question for Billy, who actually wrote the e-mail.

9 Q. Did Mr. Trick assist you in the formation of  
10 your registration in February as you spoke of?

11 A. The registration?

12 Q. Yes. You spoke of having registered paperwork.

13 A. Applying for the license and all that?

14 Q. Yes.

15 A. No.

16 Q. You testified about your Web site  
17 bandzmoving.com, but you said it takes money to change  
18 it. Are you saying that you have absolutely no control  
19 over that Web site that was created in your company's  
20 name?

21 A. No, sir. I was specifically stating that there  
22 is no point in changing the Web site if I was going to  
23 cancel it due to not getting the household good moving  
24 permit and be an actual operating company. To me, it's  
25 strictly pointless.

0054

1 Q. But a company viewing that Web site today would  
2 still be see both of your names shown on that; is that  
3 right?

4 A. Yes.

5 Q. Would you agree that somebody viewing that Web  
6 site and seeing both of those names could assume that  
7 both you and Mr. Trick are involved in the business?

8 A. Sure, but it's irrelevant because he would not  
9 have any contact or have any part of the business,  
10 whether they assumed it or not, so if they requested  
11 that Billy and I do the move, then I would have to  
12 regretfully inform them that only I would be doing the  
13 move with one of my best workers, which could be one of  
14 several. I don't have any hired specifically right now  
15 because I can't do any moves.

16 Q. Have you performed any labor-only moves?

17 A. Yes.

18 Q. Are you currently advertising for labor only?

19 A. We are.

20 Q. Actually, I use the term "we" and you said "we  
21 are." Who is "we"?

22 A. Me and whoever I get to work for me.

23 Q. So it's just you, but there is nobody else? I'm  
24 confused. Does Billy help you with your moves?

25 A. No.

0055

1 Q. Does he help you with labor-only moves?

2 A. No. I did one labor-only move helping a guy  
3 move a couch, and I got my friend Jeremy to come with me  
4 to help move it. The guy had the truck. He met us in  
5 Bellevue. He gave us the address. We met him there.  
6 We moved the couch for him, but I didn't actually pay  
7 Jeremy. He offered it to me for free because I was in a  
8 bind.

9 Q. Do you have someone else manage your Web site  
10 for you?

11 A. Yes.

12 Q. Is that a company? Can you explain to us how  
13 that Web site is managed?

14 A. It's a company. Actually, I don't have any real  
15 information on that because Billy was the one that set  
16 it up back in December, so it was his contact.

17 Q. So how would you go about changing the Web site  
18 then?

19 A. It's real easy to get a phone number and call  
20 them myself, but there wasn't a point because I didn't  
21 have the permit to do so, to actually operate, so I felt  
22 it wasn't necessary.

23 Q. But you've been operating as B&Z Moving doing  
24 different things since then; isn't that correct?

25 A. I've been trying.

0056

1 Q. You've been doing labor-only moves?

2 A. I've been doing labor-only moves, which haven't  
3 been profitable.

4 Q. So somebody viewing the Web site for labor-only  
5 moves could still see the Web site as it exists today  
6 with both those names; is that right?

7 A. Yes.

8 Q. So you are waiting on receiving a permit or  
9 being denied a permit before you do anything with that  
10 Web site?

11 A. Yes. If somebody sees the Web site and chooses  
12 not to utilize my company based on the fact that Billy's  
13 name is not there, then that's something I was going to  
14 deal with, because honestly, I didn't really expect to  
15 do any moves because nobody wants to rent a truck.  
16 That's the point of hiring a moving company.

17 Q. You also spoke about the Web site that you had  
18 created for Better Than the Rest Movers, and I believe  
19 it was your testimony that you had no power or were not  
20 able to change that Web site; is that your testimony?

21 A. Right. If I wanted to change it, then I  
22 contacted the company, told them what I wanted on there  
23 and they changed it, and then I assumed when I canceled  
24 with the company, that I didn't want to be a part of  
25 their company anymore, that they would get rid of it. I



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1 don't really know how that works.

2 Q. Have you attempted to have them change it?

3 A. No. I just stopped paying them. I didn't want  
4 their service anymore, so I just assumed that they would  
5 take it off the Internet because they wouldn't want to  
6 pay for the domain anymore. I don't know how it works.

7 Q. But you never called that company to instruct  
8 them to remove that Web site.

9 A. I did. When I canceled, I said, I don't want to  
10 be a part of your company anymore. I don't know. It  
11 was a long time ago, back in November, so honestly, I  
12 don't remember specifically what I told them, but I did  
13 cancel and I don't know.

14 MR. FASSIO: No further questions at this time,  
15 Your Honor. Thank you.

16 JUDGE TOREM: Mr. Gripp, let me make sure I  
17 don't have any questions for you and then we will turn  
18 to Mr. Trick.

19 MR. GRIPP: Yes, sir.

20 JUDGE TOREM: I think we are ready to move on.  
21 Mr. Trick, I've already sworn you in.

22 MR. TRICK: Yes, sir.

23 JUDGE TOREM: Can you state and spell your name  
24 for the record?

25 MR. TRICK: William Trick, W-i-l-l-i-a-m,

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1 T-r-i-c-k.

2 JUDGE TOREM: Go ahead and tell me what you  
3 think I need to hear.

4 MR. TRICK: First, I'll be honest. It's been  
5 pretty hard to sit here quiet.

6 JUDGE TOREM: I appreciate the restraint.

7 MR. TRICK: When somebody has destroyed your  
8 character, as it's been today, it's pretty tough, and I  
9 understand I have quite the past. I haven't hidden it  
10 from anybody. I'll start with my past, and then I'll go  
11 on with some of the things that he asked Zach, things  
12 that he couldn't answer.

13 In 1999, I was convicted of two counts of  
14 first-degree child molestation. I spent five years in  
15 prison. While I was in prison, my last stop, my last 18  
16 months were done at Twin Rivers Correction Center, which  
17 offers a sex offender treatment program. I did  
18 inpatient one year for the treatment program. When I  
19 was released, I was also in a transitional group that  
20 lasted -- they like it to last your entire probationary  
21 period, which in my case was three years. In that three  
22 years, they cut me loose after a year and a half saying  
23 that I had successfully transitioned into society.

24 During that time, I acquired two jobs, one at  
25 Jiffy Lube. Admittedly, it was hard to find gainful

0059

1 employment with my past. The second job -- because  
2 Jiffy Lube wasn't cutting it, I needed a second job too  
3 where I was hired at QFC. When I went in for the  
4 application, I'm required by the State while I was on  
5 probation to inform my employer about my past. I was  
6 interviewed by a man named Jeff Brown at Quality Foods  
7 Center on Capitol Hill where I lived. Obviously, my  
8 employment had to be within walking distance. I had no  
9 vehicle.

10 JUDGE TOREM: Which employer was this?

11 MR. TRICK: QFC. Both of them were within  
12 walking distance. I worked at the Jiffy Lube on Fourth  
13 Avenue in Seattle, and then I was able to walk from  
14 there up to my apartment, take a shower, and then run to  
15 QFC, so I worked from five to noon and then 12:30 to  
16 nine. The store manager informed me that I was the  
17 first sex offender that they had ever hired and he was  
18 going to give it a trial run. I worked my way up to  
19 lead chef in the meat department there.

20 I was a little offended today about somebody  
21 that considers somebody trustworthy, accountable.  
22 Regardless of my past, I've taken accountability for  
23 everything I've done. I've served my time. I haven't  
24 hidden my crime, my past from anybody. I've had gainful  
25 employment. I've been an avid part of society. I've

0060

1 been out 14 years, well, no, excuse me. I've been out  
2 since 2004, May, and have managed to stay out of prison,  
3 jail.

4           So I want to talk a little bit about B&Z Moving.  
5 I met Zach a couple of years ago as he earlier  
6 discussed. He had just got back. I saw him briefly.  
7 He was in the Air Force, and I briefly saw him before  
8 his deployment to Kandahar, Afghanistan, and when he  
9 came back, we had talked a little bit about maybe trying  
10 to start up a business together, and a moving business  
11 was that option, and for him to be accused of hiding me,  
12 I think that's very inaccurate. For one, he didn't hide  
13 me at all. I was all over Craig's List, and it's not  
14 very hard to find me.

15           In fact, I had brought up the fact that I had a  
16 past to him, and if I would have known, it would be  
17 different, and it would be accurate to say that maybe it  
18 would like we were trying to hide me if we knew for a  
19 second that my past would affect getting a household  
20 goods permit, but in fact, we didn't know that.

21           Yes, I threw ads up on Craig's List left and  
22 right trying to make a little money because in the  
23 beginning, obviously, everybody knows you need a  
24 business license to perform a business. Had no idea we  
25 needed a household goods permit. You guys really made

0061

1 that clear and the ramifications if we didn't.

2           So it was a couple of months in. I know Zach  
3 had started getting some business licensing going and  
4 things like that, and he had made me aware of the UTC,  
5 which I found out was the Utilities and Transportation  
6 Commission and that you had to have a household goods  
7 permit to own a truck and transport goods from one house  
8 to another with your own truck.

9           As a partner, which is what our initial  
10 intentions were, I guess with the lack of maybe a  
11 business plan, better business plan, I didn't realize  
12 the financial end of that. Ashley, who is his sister,  
13 who is yes, my fiance, has a four-year-old son who calls  
14 me Dad. I am his dad, and we have a little girl on the  
15 way.

16           I had to have a real serious conversation with  
17 Zach. I had to look out for the better interest of my  
18 own family before I could look out for the better  
19 interest of a business, because I know how long it takes  
20 or I've seen, and a lot of businesses are statistics of  
21 disaster, when you start up a business and you've got to  
22 come up with money and you've got to have some sort of  
23 production and whatnot, I couldn't take that chance.

24           After Jiffy Lube and QFC, I got into Local 440.  
25 I'm a diver. I've been working in the tunnel systems

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1 and I'm a laborer. I work construction. That's where  
2 the money is, and that's what I had to commit to, and so  
3 that's what I do. I'm part of Local 440. I'm a member  
4 in good standing, and it won't be long until I'm down  
5 there on that viaduct working.

6           It's funny that people attack me all the time  
7 because of course on paper I look like an animal, but  
8 nobody has asked me what I've done about it.

9 Mr. Fassio, you made a point to ask Zach and you made a  
10 point to say that the truck is parked at my physical  
11 address. Absolutely, and I totally gave Zach permission  
12 to do that, and maybe it's not known that in the moving  
13 business, typically when -- other than say like if  
14 U-Haul or Penske or Budget offers a moving service or  
15 something like that, you don't go over to a physical  
16 address for a moving company. Yes, that's the office,  
17 but a customer wouldn't physically go there. If they  
18 want to ask me about it, sure.

19           When I referred to Zach as my business partner,  
20 it was the full intent to try to get business for Zach.  
21 I backed out after he had already spent money. I felt  
22 an obligation to try to send work his way. That's  
23 absolutely accurate, and was I his business partner at  
24 that point in the game? No, I was not, but for the sake  
25 of maybe trying to get him some jobs or some money,

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1 that's what I did, and that's what it is.

2           Have I helped Zach out with any jobs, no, I have  
3 not. The B&Z Web site, and I want to talk about the  
4 other Web site that you brought up, which was the Better  
5 Than the Rest Moving Web site, which was put together by  
6 a company called 29 Prime, and after repeated calls, and  
7 back then, yes, we were still business partners. Back  
8 then, I would call three or four times a week trying to  
9 get a hold of anybody. The Web site wasn't anything  
10 like we wanted it to look like. It was crap. I  
11 couldn't even find it once it was up. I searched for  
12 it. Front page of Google, they had a good scam going  
13 there. I later looked at them at the BBB and they had  
14 several cases that weren't resolved. It's no wonder we  
15 couldn't get it taken down. We barely got them to stop  
16 charging the credit card, so that's what I have to say  
17 about that.

18           As far as B&Z Moving, that was put together by a  
19 company called A&C Concepts, who is a friend of mine.  
20 The owner of that is Kevin Crocker. I met him working  
21 on a construction site. He was my boss, and he happened  
22 to be running a Web design slash -- he was a one-stop  
23 shop. He could make custom invoices. He could decal  
24 the truck if we had one. He could make T-shirts. He  
25 could make business cards. He could do it all, so of

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1 course Zach has no information. If he wanted it, I  
2 could give it to him.

3 But to make the point of why is my name still on  
4 that Web site, for two reasons. One is I wouldn't have  
5 changed it either because it does cost money to pull  
6 that down, and two, if somebody were to have called at  
7 the time, because obviously, before we were warned about  
8 advertising, that Web site was up well before then, so  
9 if somebody were to call and he couldn't answer his  
10 phone, it was good to have both of us on there, and I  
11 was more than willing, even after I stopped being a  
12 business partner, to book a move for him, and of course  
13 admittedly, if somebody were to say, Are you Billy or  
14 Zach? If they say, Where is Billy, he would have to say  
15 I'm no longer a part of the company, but as much as I  
16 wanted to help him, my priorities were different. My  
17 priorities were different. I still wanted to do it. I  
18 couldn't help him out. I can't think of anything else.

19 JUDGE TOREM: Mr. Fassio, any questions for  
20 Mr. Trick?

21 MR. FASSIO: Yes, just a couple.

22  
23

24 E X A M I N A T I O N

25 BY MR. FASSIO:



0065

1 Q. You currently mentioned you are with a local.  
2 Are you currently working today?

3 A. I'm not. Basically, the way it works is you get  
4 a number, so if were to call -- say I were laid off  
5 yesterday, for example, I would get an out-of-work  
6 number. The lower your number is, which happens every  
7 month, we go to a thing called roll call. Anybody who  
8 has gone out to work, like for instance, right now I'm  
9 No. 216. Roll call is the second Monday of every month.  
10 I go in there, and my number is lower due to people  
11 going out to work or who are below me or people just not  
12 showing up forgetting it's roll call, my number goes  
13 down. When a job is dispatched, I go to job call in the  
14 morning from six to nine a.m. with the hopes that an  
15 employer calls me.

16 Laborers, right now I'm kind of waiting for a  
17 specific job because of my skills. I'm a compressed air  
18 worker, a diver, a tunnel hand, a lead pipe layer for  
19 Local 440, and so for instance, if I were to go in there  
20 this morning, which I did not. I was a little stressed  
21 out. If I would have gone in there this morning and  
22 they would have called for one pipe layer, they would  
23 have said zero to 50 and then 51 to one hundred, and if  
24 they made it to me, I would get the job, but if somebody  
25 else before got the number, somebody called 77 out, and

0066

1 then better luck. I sit there until nine o'clock if I  
2 choose or I go in the next morning and hope for work, so  
3 I'm constantly on job search.

4 I haven't actually been laid off for that long.  
5 I've been working for Mowat Construction under the West  
6 Seattle Bridge and helping them out with the expansion  
7 joints on the weekends at midnight.

8 Q. How long have you been working for them?

9 A. At first it was two straight weeks, and then  
10 they called me in on a weekend, and it's kind of  
11 sporadic because you can't work on the highway during  
12 the week during rush hour, so we do it at midnight.  
13 When I do work the weekends, it's usually from midnight  
14 on Friday into Saturday morning, and then midnight on  
15 Saturday into Sunday morning.

16 Q. So one question: If Mr. Gripp got a moving  
17 permit for B&Z Moving and he needed help with a move,  
18 would you help him?

19 A. Absolutely not. I'm not part of the business  
20 and I've already told him that. I've made that clear.  
21 My priority as I stated before was the union offers  
22 me -- I'm a journeyman laborer, and for anybody who  
23 doesn't know what the prevailing wage is, it's over \$32  
24 an hour. On a 40-hour week, I bring home over a  
25 thousand dollars a week, and that's what I need to

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1 support my family, so if he got a permit, no I would not  
2 help him out, and he knows that.

3 Q. Would that depend at all on whether you had work  
4 that day or not?

5 A. No, it would not. For instance, let's just say  
6 hypothetically I gave in and said, Zach, I'll help you  
7 out. I know that his going rate is about fifteen bucks  
8 an hour to start. If I were to do that move, say, I  
9 were to commit to a job, if he has a job he -- if he  
10 said, Hey, I've got a move this weekend. Do you want to  
11 help me out, and I say yes, and then I go to the hall  
12 tomorrow and I get with a company that's working the  
13 weekend, automatically, I forfeit that job. If I can't  
14 show up on Saturday, which is time and a half on  
15 Saturdays, 45 bucks an hour, then I run that risk as  
16 well for a company.

17 So if I go out on a job call on Friday and a  
18 company calls me out and says, Hey, we are working  
19 tomorrow, and I say I can't, and they say why. They  
20 say, You don't show up, go back to the hall. Then I go  
21 back to the bottom of the list, which at this point is  
22 over 600 people.

23 JUDGE TOREM: I think I get the picture,  
24 Mr. Trick.

25 MR. TRICK: He was just asking me.

0068

1           JUDGE TOREM: I appreciate the candor and the  
2 detail, but I think he just wants to know, is there any  
3 circumstance under which Mr. Gripp would call you, even  
4 after you left the union hall at nine o'clock in the  
5 morning, and says, Hey, are you free for a move today,  
6 could you say yes to him at this point?

7           MR. TRICK: Absolutely not.

8           JUDGE TOREM: Why not?

9           MR. TRICK: Because I wouldn't jeopardize his  
10 business from my past. I wouldn't do it. He's family.  
11 I love him with all my heart and his kids, but  
12 unfortunately, as much as I would love to be a business  
13 owner, it's obvious to me that not only do I have to  
14 prioritize my family as first and make sure they are  
15 taken care of, and I know a sure way to do that and it's  
16 not with this, unfortunately, so both financially and --  
17 I don't have a year or two to make this business grow  
18 enough for me to profit from it. I just don't.

19           JUDGE TOREM: Thank you. Mr. Fassio, additional  
20 questions?

21           MR. FASSIO: No.

22

23

24                           E X A M I N A T I O N

25           BY JUDGE TOREM:

0069

1 Q. I hear today what you are saying. I understand  
2 the explanations provided by both Mr. Gripp and by you  
3 as to why after the cease and desist letter came to you  
4 at apparently both addresses in early February you  
5 continued to answer ads or calls from the Commission.  
6 We don't know about how many other phone calls or ads or  
7 responses to your ads may have come in?

8 I think I hear you trying to reassure the  
9 Commission that you got the message and you are trying  
10 to stay as far away from B&Z Moving as you can.

11 A. Absolutely. I want him to be successful. He's  
12 a good man, joined the military and he's trying to do  
13 this, and I don't want to stand in the way.

14 Q. I appreciate all of that. You heard Ms. Pearson  
15 articulate the Commission's concerns. Mr. Fassio asked  
16 if Mr. Gripp were to be given a permit on his own, the  
17 Commission would only do that if he's assured that  
18 everybody that's on his employ ever day of every job has  
19 a background check and doesn't put the public at risk.

20 Previously you showed in February you were  
21 willing to stick your neck out as you felt guilty  
22 backing out of the business and wanted to help him, but  
23 it appears that at least in the Commission's view that  
24 hurt. How can you assure us that that would never  
25 happen again and that you wouldn't respond to a phone

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1 call even if Mr. Gripp had bad judgment and extended his  
2 wish for you to work on a particular day?

3 A. I believe between the Commission and myself  
4 anyway that we could come up with some sort of plan or  
5 some sort of way for me to reassure them, whether it be  
6 a phone call that you are specifically trying to ask me  
7 to book a move or I really want Billy there or something  
8 in some way that would ask for my assistance for me to  
9 reassure them that -- if somebody did get my number, I  
10 would have to refer them to Zach and say I'm no longer a  
11 part of his business.

12 Q. I wanted you to understand where I think the  
13 Commission is coming from and how the facts are laid  
14 out.

15 A. I can reassure you I will have nothing to do  
16 with his business. As I stated before, my number one  
17 priority is my family.

18 Q. I want to say I appreciate that you came today  
19 and were willing to appear in front of the Commission  
20 and show who you were.

21 A. It's hard, because after hearing the things I  
22 heard today. My past is always going to bite me no  
23 matter what, and I have to live with that for the rest  
24 of my life. I'm trying to do whatever I can to help  
25 those around me, and obviously in this case, my family

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1 is not going to be able to receive my help, and I'm okay  
2 with that.

3 JUDGE TOREM: Let me see if Mr. Fassio has any  
4 additional questions for you.

5 MR. FASSIO: No.

6 JUDGE TOREM: Mr. Gripp, do you have anything  
7 else you wanted to add testimony-wise? I know we have  
8 to address your documents.

9 MR. GRIPP: I would also like to reassure the  
10 UTC that I would not be asking for Billy. I would not  
11 jeopardize my company in order just for one job or just  
12 to not turn down somebody for a move. If they call me  
13 and all my guys are busy, I will just have to apologize  
14 and turn down the move and refer them to a mover that I  
15 know would be able to help them out, and I won't  
16 jeopardize my company by asking Billy to help.

17 JUDGE TOREM: Mr. Gripp, let me ask you a couple  
18 of other questions that came to mind. Do you know if  
19 the Commission ran your name through a background check?

20 MR. GRIPP: I have no idea.

21 JUDGE TOREM: Has the Commission ever expressed  
22 any concern about your criminal background or a concern  
23 about your past?

24 MR. GRIPP: No, Your Honor. I have no criminal  
25 background.

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1           JUDGE TOREM: I suppose they would have let me  
2 know about that.

3           MR. GRIPP: I imagine.

4           JUDGE TOREM: Let's turn to the paperwork you  
5 submitted. I think it's six pages on Secretary of State  
6 letterhead. Can you describe what this stands for for  
7 me?

8           MR. GRIPP: Sure. This is our business license  
9 that states that we are a legitimate company in the  
10 State of Washington. Our UBI number is 603273063 and  
11 unique to us, to me.

12          JUDGE TOREM: So this six-page document, I'm  
13 going to label it as Exhibit ZG-1, using your initials.

14          MR. GRIPP: The first page is the actual  
15 business license, and then the following five pages  
16 state who is in charge and where my office is and where  
17 my mailing address is and the exact owners of the  
18 company, which is my name and my address and everything.

19          JUDGE TOREM: Excellent. I just want you to  
20 hear in your words as much as a possible on the record.  
21 I take it you want me to consider this as evidence of  
22 your business.

23          MR. GRIPP: Yes, Your Honor, that I'm the sole  
24 owner in paper and in fact of B&Z Moving, and I'm not  
25 trying to conceal anybody.



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1 JUDGE TOREM: Mr. Fassio, any questions for  
2 Mr. Gripp about the exhibit or any objections?

3 MR. FASSIO: Staff has no objections to  
4 admitting this exhibit.

5 JUDGE TOREM: Then Exhibit ZG-1 is admitted as  
6 well. Mr. Gripp, is there any other evidence you want  
7 me to consider? I will give you a chance and Mr. Fassio  
8 a chance to sum up and make closing statements. I  
9 imagine we will take another five-minute break but we  
10 will stay in place.

11 MR. GRIPP: I have no further evidence, Your  
12 Honor.

13 JUDGE TOREM: Mr. Fassio, do you have any other  
14 rebuttal evidence or anybody you needed to call at this  
15 time?

16 MR. FASSIO: No, Your Honor.

17 JUDGE TOREM: Unless you are ready to go right  
18 now...

19 MR. FASSIO: We would appreciate a short recess.

20 JUDGE TOREM: So let's take a five-minute break.  
21 At 3:30, you will be ready to give your closing  
22 statement, and that's can be not super emotional, but  
23 you can get behind it a little more and tell me what you  
24 think the facts showed and what you want me to decide.  
25 We will be in recess.

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1 (Recess.)

2 JUDGE TOREM: Back on the record. Before we  
3 take closing arguments, let me thank Staff and Mr. Gripp  
4 for your presentation and presence today. Typically,  
5 these brief adjudications are not nearly as formal as  
6 today is, and I think just the nature of the issues  
7 before the Commission and the strong opinions that are  
8 being expressed on both sides raised the level of  
9 formality.

10 A brief adjudication is a chance to be heard  
11 though, and I hope that you feel like you got that  
12 today, and that Commission staff feels the same way,  
13 that I've heard the witnesses and looked at the  
14 evidence. So I apologize. I had hoped we would have  
15 less formality, but there is not a lot of frivolity that  
16 can come up given the subject matter we are dealing  
17 with.

18 It's not a criminal case. We are not retrying  
19 Mr. Trick's past, but at the same time, it's relevant,  
20 and that's the reason we are here today. So I want to  
21 thank you for the decorum and the restraint. Like I  
22 said earlier, having to listen to these things is  
23 difficult, and I know it's difficult for Staff to have  
24 to deal with these issues too and have to testify about  
25 them, so I wanted to get that on the record. The

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1 Commission does appreciate the behavior and the  
2 restraint shown and just the professionalism on both  
3 tables.

4 With that, let me turn to Mr. Fassio and ask for  
5 his closing comments and then I'll ask Mr. Gripp for his  
6 at the end. Mr. Trick, since you are just a witness, I  
7 don't get any closing comments from you. Mr. Fassio, go  
8 ahead.

9 MR. FASSIO: Thank you, Your Honor, very brief.  
10 Staff maintains the position set forth in the notice of  
11 intent to deny the materials submitted and as provided  
12 in testimony by Ms. Pearson and Ms. Wallace. Staff also  
13 appreciates the appearance today by Mr. Gripp and  
14 Mr. Trick.

15 JUDGE TOREM: Thank you. Mr. Gripp?

16 MR. GRIPP: I would just like to close saying  
17 that I'm the sole owner of B&Z Moving, and I will not  
18 allow someone that does not pass a background check to  
19 work for my company because it's not worth the future of  
20 my company to have one worker. I'm an extremely hard  
21 worker and a very honest and fair person. Granting this  
22 permit and allowing me to become a fully functioning  
23 moving company in the State of Washington will greatly  
24 benefit the residents of Washington state.

25 JUDGE TOREM: Thank you, Mr. Gripp. As you have

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1 heard, I have by law ten days to issue a decision. I'll  
2 work on this tomorrow and early next week, and my goal  
3 will be to have something by next week or next Friday in  
4 the mail to you. We have your e-mail address so you  
5 will get a courtesy copy of it as well.

6 Staff is well familiar with this. When an  
7 administrative judge for the Commission issues an order,  
8 it's an initial decision. You can ask, and Staff can  
9 ask depending on what I rule, for review by the three  
10 appointed commissioners who would issue a final order in  
11 that case. If there is no request for administrative  
12 review or an appeal of my decision, then 20 days after  
13 it's mailed -- you will see the service date stamped on  
14 the upper right of the front page -- that's when it  
15 becomes a final order and no further appeal is possible.  
16 Any questions about the procedural rights?

17 MR. GRIPP: No, Your Honor.

18 JUDGE TOREM: So you have to be a little bit  
19 more patient. I wish I could announce something from  
20 the bench today, but I want to give this serious thought  
21 and make sure I capture everything I want to say in  
22 writing. I'm not sure what the decision will be, but I  
23 want to give it full consideration over the weekend.  
24 Any questions from Staff?

25 MR. FASSIO: No.

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1 JUDGE TOREM: Anything else, Mr. Gripp?

2 MR. GRIPP: No, Your Honor.

3 JUDGE TOREM: We are adjourned. Thank you for  
4 coming down.

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6 (Hearing adjourned at 3:36 p.m.)

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C E R T I F I C A T E

STATE OF WASHINGTON  
COUNTY OF PIERCE

I, Kathryn T. Wilson, a certified shorthand reporter in and for the State of Washington, residing at Tacoma, do hereby certify that the foregoing proceedings were taken before me and thereafter transcribed by me by means of computer-aided transcription; that the transcript is a true, accurate, and complete transcript of said proceedings to the best of my knowledge, skill, and ability.

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Kathryn T. Wilson, CCR No. 2435