

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of

Dolly, Inc.

for a permit to operate as a motor carrier
of household goods and a permit to
operate as a motor freight common carrier

DOCKET TV-180605

NOTICE OF HEARING

**(Set for December 19, 2018,
at 1:30 p.m.)**

- 1 On July 6, 2018, Dolly, Inc. (Dolly) filed an application with the Washington Utilities and Transportation Commission (Commission) for authority to operate in Washington as a household goods carrier (Application).¹
 - 2 On September 21, 2018, the Commission issued a Notice of Intent to Deny Application for Permanent Authority and Notice of Opportunity for Hearing in this matter based on its review and investigation of the Application. The Commission alleges that Dolly is unfit to operate as a household goods moving company because it has consistently engaged and continues to engage in unlawful activities. On May 18, 2018, the Commission entered Order 04 in Docket TV-171212 (Order 04) ordering Dolly to cease and desist from operating as a household goods carrier, common carrier, and solid waste collection company unless and until it first obtained authority from the Commission. Commission staff (Staff) has provided information showing that Dolly is continuing to operate in violation of Order 04 and applicable law.
 - 3 On September 21, 2018, Dolly filed with the Commission a Request for Adjudicative Proceeding.
 - 4 Pursuant to RCW 34.05.413 and WAC 480-07-305, the Commission determines that an adjudicative proceeding is appropriate for determining whether the Commission should deny Dolly's application for permanent authority.
 - 5 **THE COMMISSION GIVES NOTICE That it will conduct a hearing in this matter at 1:30 p.m., on Wednesday, December 19, 2018, in Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**
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- 6 **PREFILED TESTIMONY AND EXHIBITS.** Parties must prefile their written direct testimony and any supporting exhibits they intend to offer into the evidentiary record during the hearing by **5:00 p.m. on November 30, 2018.**
- 7 **STAFF MOTION FOR SUMMARY DETERMINATION.** On October 11, 2018, Staff filed a motion for summary determination. Dolly's response to the motion is due by **5:00 p.m. on November 2, 2018.**
- 8 **CLOSING ARGUMENTS.** Counsel for each of the parties should be prepared to make closing oral argument of no longer than 10 minutes in lieu of post-hearing briefing at the conclusion of the hearing.
- 9 **DOCUMENT FILING REQUIREMENTS.** Parties must file all pleadings, motions, briefs, and other prefiled materials in compliance with all of the following requirements:
- (a) Parties must submit electronic copies in searchable Adobe Acrobat (.pdf) of all documents on the filing deadline established in this notice (or other deadline as applicable) unless the Commission orders otherwise. The documents must conform to the format and publication guidelines in WAC 480-07-395 and WAC 480-07-460. Parties must submit documents electronically through the Commission's Web Portal (www.utc.wa.gov/efiling) or by e-mail to records@utc.wa.gov.
 - (b) Parties must file **five** paper copies of the documents with the Commission by 5:00 p.m. on the first business day following the filing deadline. All hard copy filings must be mailed or delivered to the Executive Director and Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, 1300 S. Evergreen Park Drive, S.W. Olympia, Washington 98504-7250.
 - (c) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judge (gregory.kopta@utc.wa.gov) by 5:00 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish the electronic copies by delivering them on a flash drive, DVD, or CD.
- 10 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on December 13, 2018.** The Commission requires electronic copies in searchable Adobe Acrobat (.pdf) and **five** paper copies of the exhibits. The exhibits must be grouped according to the witness the party intends to cross examine with the exhibits. The paper copies of the exhibits also must be organized into sets that are tabbed and labeled.

- 11 **EXHIBIT LISTS.** Each party must file a list of all exhibits the party intends to introduce into the evidentiary record, including all prefiled testimony and exhibits, as well as cross-examination exhibits. The parties must file and serve their exhibit lists by **5 p.m. on December 13, 2018.**
- 12 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judge and the other parties by **5 p.m., December 13, 2018.**
- 13 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the hearing set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**
- 14 The names and mailing addresses of all parties and their known representatives are shown as follows:

Applicant: Dolly, Inc.
901 5th Avenue Ste 600
Seattle, WA 98164

Representative: Armikka Bryant
Director of Legal and Government Affairs
Dolly
901 5th Avenue Ste 600
Seattle, WA 98104
armikka@dolly.com

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

Representative: Jeff Roberson
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1188
jeff.roberson@utc.wa.gov

15 The Commissioners of the Washington Utilities and Transportation Commission and Administrative Law Judge Gregory J. Kopta, from the Commission's Administrative Law Division, will preside during this proceeding.

DATED at Olympia, Washington and effective October 15, 2018.

MARK L. JOHNSON
Executive Director and Secretary

NOTICE

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

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

Docket : _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

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

Name: _____

Address: _____

Phone No.: (____) _____