

Service Date: June 7, 2016

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper  
Carrier Classification of, and Complaint for  
Penalties against:

JEET SIDHU a/k/a GEETAR SIDHU d/b/a  
JJ LIMOUSINE, JJ LIMOUSINE  
SERVICES, JJ'S BEST LIMOUSINE  
SERVICE, and JJ LIMOUSINE  
SERVICES, INC.

DOCKET TE-151982

ORDER 01

ORDER INSTITUTING SPECIAL  
PROCEEDING; COMPLAINT SEEKING  
TO IMPOSE PENALTIES

and

NOTICE OF BRIEF ADJUDICATIVE  
PROCEEDING

(Set for July 6, 2016, at 9:30 a.m.)

**INTRODUCTION**

- 1 The Washington Utilities and Transportation Commission (Commission), pursuant to RCW 81.04.510, institutes this special proceeding on its own motion to determine whether Jeet Sidhu a/k/a Geetar Sidhu d/b/a JJ Limousine, JJ Limousine Services, JJ's Best Limousine Service, and JJ Limousine Services, Inc. ("JJ Limousine" or "Company") is operating as a charter party or excursion service carrier for transportation of passengers for compensation between points in the state of Washington and on the public highways of Washington State without the necessary certificate required for such operations by RCW 81.70.220.
- 2 The Commission has information from which it believes and therefore alleges that JJ Limousine is operating as a charter party carrier or excursion service carrier, transporting passengers for compensation on the public highways of the State of Washington without the necessary certificate required for such operations by RCW 81.70.220. Specifically, the Commission has evidence that JJ Limousine advertised its transportation services online and offered charter party carrier transportation twice, once to a Washington consumer and once to Commission Staff, posing as a consumer.

3 Pursuant to RCW 81.04.510, upon proof of these allegations, the Commission is authorized to issue an order requiring JJ Limousine to cease and desist activities subject to regulation under Title 81 RCW. In addition, RCW 81.04.110 authorizes the Commission to file a complaint on its own motion, setting forth any act or omission by JJ Limousine that violates any law, or any order or rule of the Commission. Under RCW 81.70.220, the Commission may impose financial penalties of up to \$5,000 for each violation.

4 At the hearing in this special proceeding that will be conducted pursuant to Part IV of the Administrative Procedure Act (APA), RCW 34.05, of which notice is given here, the Commission will also consider its Complaint against JJ Limousine alleging the violations of law as specified below and decide whether JJ Limousine should be penalized.

**ORDER AND NOTICE OF HEARING**

5 The Commission has jurisdiction to institute a special proceeding to determine whether JJ Limousine is conducting business requiring operating authority, or has performed or is performing any act requiring Commission approval without securing such approval pursuant to RCW 80.01.040, RCW 81.01.010, RCW 81.04.510, and RCW 81.70.220. In addition to the foregoing statutes, this matter involves Title 81 RCW, including but not limited to RCW 81.04.020, RCW 81.70.020, RCW 81.70.310, and RCW 81.70.360. This matter also involves the administrative rules set forth in chapter 480-30 WAC and chapter 480-07 WAC.

6 **IT IS HEREBY ORDERED** That JJ Limousine appear before the Commission in this special proceeding conducted under the authority of RCW 81.04.510 at 9:30 a.m., on July 6, 2016, in Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington, to give testimony and evidence under oath as to its operations. JJ Limousine shall appear at the time and place set forth above unless the Executive Director and Secretary of the Commission, by notice of hearing, specifies a different time and place. This is ordered pursuant to the subpoena powers granted in RCW 34.05.446, RCW 80.01.060(1), and RCW 81.04.510.

7 **IT IS FURTHER ORDERED** that at the hearing in this special proceeding the burden of proving that the alleged operations are not subject to the provisions of Title 81 RCW shall be upon JJ Limousine as provided by RCW 81.04.510.

8 **NOTICE IS FURTHER GIVEN 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 IN ACCORDANCE WITH RCW 34.05.440 AND WAC 480-07-450.**

9 If a limited English-speaking or hearing-impaired party needs an interpreter, a form is attached to this notice to be filled out and returned as indicated, so that a qualified interpreter may be appointed at no cost to the party or witness.

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

Carrier: Mr. Jeet Sidhu  
JJ Limousine  
15127 NE 24<sup>th</sup> St. # 268  
Redmond, WA 98052-5544

Representative: Unknown

Commission: Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

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

**COMPLAINT SEEKING PENALTIES**

**PARTIES**

- 11 Complainant, the Washington Utilities and Transportation Commission, is an agency of the State of Washington, authorized by state law to regulate the rates, services, facilities, and practices of public service companies, including charter party and excursion service carriers, under the provisions of Title 81 RCW.
- 12 Respondent, Jeet Sidhu a/k/a Geetar Sidhu d/b/a JJ Limousine, JJ Limousine Services, JJ's Best Limousine Service, and JJ Limousine Services, Inc. (JJ Limousine) is a sole proprietor who does business in the state of Washington.

**JURISDICTION**

- 13 The Commission has jurisdiction over this matter pursuant to RCW 80.01.040, RCW 81.01.010, RCW 81.04.110, RCW 81.04.160, RCW 81.04.460, and chapter 81.70 RCW.

**BACKGROUND**

- 14 The following facts, set forth in a Staff Investigation Report of this matter, establish probable cause for the Commission to complain against the activities of JJ Limousine and to seek penalties in accordance with applicable law.
- 15 At all times pertaining to this matter, JJ Limousine has not held certificate authority from the Commission to provide charter party and excursion carrier services.
- 16 In October 2015, Staff received information that JJ Limousine had offered in September of 2015 to transport a group of 20 high school students from Bothell to a homecoming dance in Mill Creek and then back to Bothell on October 24, 2015. The consumer paid JJ Limousine a deposit of \$318 to reserve the transportation. When the consumer learned that JJ Limousine did not have proper authority to provide the transportation, he canceled the reservation. When the consumer explained to the Company why he was canceling the reservation and requested a refund of his deposit, the Company hung up on the consumer. To date, the consumer has not received a refund.

- 17 Staff opened an investigation into the operations of JJ Limousine. Commission records show that JJ Limousine has held passenger transportation authority from the Commission on and off since 2006. The Commission issued a certificate for charter and excursion carrier services to “JJ Limousine Service, Inc” on September 8, 2006, in Docket TE-061343. The Commission subsequently suspended the certificate several times in 2007 and then canceled it on January 14, 2008, due to the Company’s failure to submit proof of insurance. JJ Limousine regained authority in 2010 only to have it suspended, and then canceled in 2011 due to the Company’s failure to submit proof of insurance. Again the Commission reinstated JJ Limousine’s authority, in 2013, only to suspend it and then cancel it the same year due to the Company’s failure to submit proof of insurance. The Commission most recently reinstated JJ Limousine’s authority on January 7, 2015. Pursuant to the Company’s request, the Commission canceled JJ Limousine’s authority on July 9, 2015, in Docket TE-151407. JJ Limousine has not reapplied for authority from the Commission and is not licensed as a limousine carrier through the Department of Licensing.
- 18 During this period, in which JJ Limousine intermittently held authority, Staff provided technical assistance to the Company several times. On September 22, 2009, Staff sent a letter to Mr. Sidhu explaining that, as his company’s charter and excursion authority had been canceled, he was not allowed to operate. The letter included instructions for avoiding enforcement action and contained an application for new authority.
- 19 On March 1, 2012, Staff again wrote to Mr. Sidhu, explaining that the Commission had received a complaint that his company was offering and providing passenger transportation services without the required certificate and instructing him how to avoid enforcement action.
- 20 Staff contacted Mr. Sidhu again, on June 13, 2015, after a 20-passenger vehicle operated by JJ Limousine broke down, stranding a group of high school students. JJ Limousine did not hold authority from the Commission at that time, and Staff informed the Company once again that it is illegal to operate without the required certificate. Staff warned Mr. Sidhu that, if Staff found evidence again that his company was providing passenger transportation services without proper authority from the Commission, Staff would initiate enforcement action against JJ Limousine, which would include seeking monetary penalties.

21 On November 18, 2015, Staff reviewed JJ Limousine’s website, <http://www.jjlimo.com>. The homepage of the website promotes “JJ’s Best Limousine Service” as “the talk of Seattle.” The homepage states also, “Finest Fully Equipped Limousine Service Seattle WA,” and it includes the text “Limo Rental Seattle WA” next to a post office address in Bellevue, near the bottom of the homepage. The homepage also advertises an “Eastside Phone Line,” showing the number “(425) 454-5053.” Various types of vehicles, including a Cadillac Escalade Limousine, an H2 Hummer, and a Limo Bus, are listed on the homepage as well. The “Our Fleet” tab features pictures purporting to represent the JJ Limousine fleet. The pictures show vehicles ranging in size from limousines to large buses. The “Hourly Rates” tab advertises rates from \$75 an hour to \$250 an hour for 11 different vehicles including two twenty-passenger Escalades, a twenty-two passenger Hummer, a twenty-six passenger limo bus, a thirty passenger limo bus, and a thirty-eight passenger limo bus. The page also displays “Airport Rates” from various cities, all in Washington.

Posing as a potential customer, Commission Staff contacted JJ Limousine on October 26, 2015, using the email contact tool on the Company’s website. Staff inquired whether JJ Limousine could transport a group of 18 to 20 people from a hotel in Kirkland to dinner and then to a few clubs in downtown Seattle and requested the hourly rate. On November 3, 2015, Staff followed up by calling the number advertised on the website, (425) 454-5053, and confirmed that the request was for a party bus. JJ Limousine quoted a rate of \$175 per hour, and Staff later received an email from the address, ‘info@jjlimo.com,’ confirming the rate. The closing on the email states, “Thank you. JJ.”

### **APPLICABLE LAW AND REGULATIONS**

22 Under State law, it is illegal for any person to engage in the business of a charter party carrier or excursion service carrier of passengers over any public highway within the state of Washington without first having obtained a certificate from the Commission to do so or having registered as an interstate carrier. RCW 81.70.220(1).

23 For the purposes of RCW 81.70.220(1), “engage in the business of a charter party carrier or excursion service carrier” includes advertising or soliciting, offering, or entering into an agreement to provide charter party or excursion service. And each advertisement reproduced, broadcast, or displayed via a particular medium constitutes a separate violation under this chapter.

24 The term “person” includes an “individual, a corporation, association, joint stock association, and partnership, their lessees, trustees, or receivers.” RCW 81.70.020(2); *see* WAC 480-30-036.

25 “Charter party carrier” is defined as follows:

[E]very person engaged in the transportation over any public highways in this state of a group of persons who, pursuant to a common purpose and under a single contract, acquire the use of a motor vehicle to travel together as a group to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after leaving the place of origin.

RCW 81.70.020(5); WAC 480-30-036.

26 The term “common purpose” is defined as “a group of persons [that] is travelling together to achieve a common goal or objective.” WAC 480-30-036.

27 Under state law, a person engaged in the transportation of persons by “party bus” over any public highway in this state is considered to be engaging in the business of a charter party carrier or excursion service carrier. RCW 81.70.020(9).

28 The term “party bus” is defined as follows:

[A]ny motor vehicle whose interior enables passengers to stand and circulate throughout the vehicle because seating is placed around the perimeter of the bus or is nonexistent and in which food, beverages, or entertainment may be provided.” A motor vehicle configured in the traditional manner of forward-facing seating with a center aisle is not a party bus.

29 The Commission has the authority to regulate charter party carriers. RCW 81.70.270; RCW 81.70.220.

30 Charter party carrier transportation within Washington of passengers in motor vehicles, including limousines, with a seating capacity behind the driver of more than fourteen

passengers is subject to regulation by the Commission. *See* RCW 81.70.020(4); RCW 81.70.270; WAC 480-30-036; WAC 308-83-010(12).

31 Charter party carriers are common carriers. RCW 81.04.010(11). For the purposes of Title 81 RCW, every common carrier is a public service company. RCW 81.04.010.

32 By law, every public service company that violates any Commission rule or provision of Title 81 RCW is subject to a penalty of up to one thousand dollars for every such violation. RCW 81.04.380; RCW 81.70.310. And any person who engages in the business of a charter party carrier or excursion service carrier in violation of RCW 81.70.220(1) is subject to a penalty of up to five thousand dollars per violation. RCW 81.70.220(2).

33 The Commission is authorized to file a complaint on its own motion setting forth any act or omission by any public service company that violates any law or any order or rule of the Commission. RCW 81.04.110; RCW 81.70.310.

### **COMPLAINT**

34 The Commission, through its Staff, re-alleges the allegations contained in paragraphs 14 through 33 above.

35 JJ Limousine violated RCW 81.70.220 three (3) times when it engaged in the business of a charter party carrier without first having obtained a certificate from the Commission to do so. Specifically, JJ Limousine operated as a charter party carrier of passengers when it (1) advertised such transportation on its website, (2) offered to provide charter party carrier transportation to a consumer in Bothell, and (3) offered to provide charter party carrier transportation to Staff when Staff contacted the Company posing as a customer.

### **REQUEST FOR RELIEF**

36 Staff requests that the Commission, pursuant to its authority under RCW 81.04.380, RCW 81.70.220, and RCW 81.70.310, assess penalties of up to \$5,000 per violation against JJ Limousine.



**PROBABLE CAUSE**

37 Based on a review of the Staff Investigation Report of this matter, and consistent with RCW 80.01.060 and WAC 480-07-307, the Commission finds probable cause exists to issue this Complaint.

**NOTICE OF HEARING**

38 **THE COMMISSION GIVES NOTICE THAT it will conduct a hearing concerning this Complaint concurrently with the special proceeding noticed above, which will commence at 9:30 a.m., on July 6, 2016, in Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

39 Administrative Law Judge Rayne Pearson, from the Utilities and Transportation Commission's Administrative Law Division, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250, will be designated to preside at the hearing of these matters.

DATED at Olympia, Washington, and effective May 23, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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GREGORY J. KOPTA  
Administrative Law Judge  
Administrative Law Division

Inquiries should be addressed to:

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

**NOTICE**

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and, if limited English-speaking or 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.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington 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.: (\_\_\_\_\_) \_\_\_\_\_