

Service Date: November 2, 2018

**BEFORE THE WASHINGTON STATE
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 NO.: TV-180605

DOLLY, INC. RESPONSE OPPOSING
STAFF'S MOTION FOR SUMMARY
DETERMINATION

I. INTRODUCTION

1. On October 11, 2019, the Washington Utilities and Transportation Commission (“Commission” or “WUTC”) Staff (“Staff”) filed a Motion for Summary Determination (“Motion”) in this docket. The hearing in this Matter is scheduled for December 19, 2018.¹
2. Pursuant to WAC 480-07-375, Dolly, Inc. (“Dolly”) files its Response Opposing Commission Staff’s Motion for Summary Determination. Staff filed its Motion before testimony is to be filed and therefore does not take into consideration evidence Dolly will submit on November 30, 2018. Dolly therefore disagrees that this matter should be decided without a hearing and opposes Staff’s Motion.
3. Further, granting Staff’s Motion, which Dolly strongly opposes, would not fully resolve all of the issues in this case, and a hearing would still be necessary regarding: (1) the applicability of WAC 480-15-302,² and (2) Commission precedent for provisional and permanent household goods carrier permit applications.³ Staff’s Motion also fails to

¹ In re Application of Dolly, Inc., *Permit to Operate as a Motor Carrier of Household Goods and a Permit to Operate as a Motor Freight Common Carrier*, Docket No. TV-180605, Notice of Hearing, at ¶ 5. (Oct. 15, 2018).

² WAC 480-15-302 requires that applicants for permanent operating authority must operate on a provisional basis for at least six months. During this time, the Commission can evaluate whether the Applicant has met the criteria in WAC 480-15-305 for obtaining *permanent* authority.

³ *Id.*

acknowledge and therefore disregards the WUTC Commissioners' desire to attend the hearing which was expressed three days before Staff filed its Motion.⁴

II. REQUESTED RELIEF/SUMMARY OF ARGUMENT

4. Dolly believes the issues Staff raises, and the others in the case, should be decided after a full hearing, with an opportunity for the parties' assertions to be tested under cross examination, and an opportunity for the Commissioners to explore the issues with the witnesses. For these reasons, the Commission should deny Staff's Motion and proceed with the case schedule established by the Administrative Law Judge ("ALJ").

III. STATEMENT OF FACTS

5. Staff's Motion sets forth a very lengthy statement of facts⁵ and relies on the Declaration of Susie Paul to support them.⁶ Dolly believes that many other facts and authoritative sources are relevant to a full and fair determination of the ultimate issues, which include the question of whether the Commission should grant Dolly provisional operating authority under WAC 480-15-302 in route to ultimately deciding whether to grant permanent operating authority under WAC 480-15-305.⁷
6. Staff's Motion completely ignores, and fails to acknowledge, the existence of WAC 480-15-302, the Commission's rule governing provisional operating authority.⁸ Another critical fact, not included in Staff's Motion, which from Dolly's point of view is an undoubted objective manifestation of Dolly's intent to comply with the Commission's provisions governing household goods carriers, is the fact that Dolly applied for operating authority from the Commission⁹ and also paid the full penalty imposed in Docket TV-171212.¹⁰
7. With regard to the issue of predicting or projecting Dolly's future compliance with Commission statutes and regulations, Staff provides no evidence other than unfounded

⁴ Attachment A (Email communication from WUTC Paralegal Paige Doyle dated Oct. 8, 2018 notifying assigned counsel in this matter that, "the commission would like to schedule a hearing in docket TV-180605" and providing the Commissioners' schedule to attend the hearing.

⁵ See *In Re Application of Dolly, Inc.*, Docket No. TV-180605, Commission Staff Motion for Summary Determination at, 1–5 ¶¶ 3–12. (Oct. 11, 2018)

⁶ *Id.* at 5 ¶ 14.

⁷ WAC 480-15-302 requires that applicants for permanent operating authority must operate on a provisional basis for at least six months. During this time, the Commission can evaluate whether the Applicant has met the criteria in WAC 480-15-305 for obtaining *permanent* authority.

⁸ See *id.*

⁹ See *In Re Application of Dolly, Inc.*, Docket No. TV-180605, Application. (July 17, 2018)

¹⁰ Attachment B (Receipt Dated Nov. 1, 2018 in the amount of \$69,000)

speculation to support its conclusion that Dolly is unfit to receive operating authority.¹¹ Staff's prediction belies the facts that Dolly has cooperated fully with Staff in route to complying with the rulings of Order 04.¹²

8. Further, there is significant dispute regarding Dolly's compliance with the cease and desist ruling in Order 04 that can only be fully examined at a hearing. Staff's Motion relies on the Declaration of Susie Paul.¹³ Ms. Paul's Declaration contains no less than 27 Attachments which Staff uses to interpret Order 04 and reach numerous conclusions of law regarding Dolly's compliance with Order 04's cease and desist order.¹⁴ This is a topic that Dolly will seek to explore on cross examination of Staff's witness. Dolly requires a hearing to further explore Staff's position on this issue.

9. Dolly believes these issues, and the others in the case, should be decided after a full hearing, with an opportunity for the parties' assertions to be tested under cross examination, and an opportunity for the Commissioners to explore the issues with the witnesses.

IV. STANDARD FOR SUMMARY DETERMINATION

10. While the Washington Administrative Procedures Act, Chapter 34.05 RCW does not expressly authorize summary determination, agencies may allow summary proceedings.¹⁵ The Commission's rules provide for summary determination under WAC 480-07-380(2). When ruling on a motion for summary determination, the Commission considers the standards applicable to a motion made under Washington Superior Court Civil Rule 56 (CR 56).¹⁶

11. Summary determination is appropriate if the pleadings and all evidence demonstrate that: (1) there is no genuine issue of material fact and (2) the moving party is entitled to judgment as a matter of law.¹⁷

V. ARGUMENT

12. Staff argues the Commission should deny Dolly's application for household goods carrier authority without a hearing and before Dolly has the opportunity to submit testimony and

¹¹ See *Staff Motion*, at 7-8 ¶ 20.

¹² See Attachment B.

¹³ See *Staff Motion* at 5 ¶ 14

¹⁴ See *In Re Application of Dolly, Inc.*, Docket No. TV-180605, Declaration of Susie Paul, Attach. A-J, and Attach K-AA (Oct. 11, 2018).

¹⁵ *Alpine Lakes Protection Society v. WA Dept. of Nat. Res.*, 102 Wn. App. 1, 13-14 (1999).

¹⁶ WAC 480-07-380(2)(a)

¹⁷ CR 56; *Bowers v. Pollution Control Hearings Bd.*, 103 Wn. App. 587, 623 (2000).

exhibits supporting its application. Staff's Motion rests on two arguments which can be summarized as: (1) Dolly should not be granted permanent operating authority due to Staff's characterization of Dolly's history with the Commission, and (2) Dolly should not be granted permanent operating authority due to Staff's predictions of Dolly's future compliance with Commission regulations. Staff's arguments rely on its own Declaration, which Dolly disputes, and provides no authority nor cites any precedent for the Commission to take such action. While the Commission certainly has authority to deny Dolly a hearing, for it to do so here would be unprecedented.

A. Staff's Motion Misstates the Correct Standard of Review for Summary Judgment

1. The Cost or Expense of a Hearing/Trial is Irrelevant when Reviewing a Motion for Summary Judgment

13. Dolly agrees that summary judgment is appropriate when the issue to be resolved is a question of law and material facts are not in dispute.¹⁸ However, Staff's Motion fails to articulate the proper standard for summary judgment. Specifically, Staff's Motion states, "The Commission authorizes those motions *to avoid a needless expenditure of resources* where a hearing is unnecessary because no material factual issues exist" and cites Washington Supreme Court case *LaPlante v. State*, 85 Wash.2d 154, 158 (1975).¹⁹ Emphasis added.

14. The standard articulated in *LaPlante* does not evaluate "expenditures" or "resources" consumed when evaluating whether CR 56 supplants a party's right to a hearing.²⁰ The standard for summary judgment articulated in *LaPlante* is simply the CR 56 standard, which is whether

¹⁸ *E.g., Enterprise Leasing, Inc. v. City of Tacoma*, 139 Wn.2d 546, 551-52 (1999) ("[w]here, as here, the parties do not dispute the material facts, this Court will affirm an order on summary judgment if the moving party is entitled to judgment as a matter of law"); *Clam Shacks of America Inc. v. Skagit County*, 45 Wn. App. 346, 353 (1986) ("the record . . . presented no questions of material fact and posed only a legal question" and "[s]ummary judgment was therefore proper").

¹⁹ See *Staff Motion*, at 4 ¶15

²⁰ The Court in *LaPlante* stated, "The purpose of summary judgment is to avoid a useless trial when there is no genuine issue of any material fact. If, however, there is a genuine issue of material fact a trial is necessary. It is the trial court's function to determine whether such a genuine issue exists. The burden of proving, by uncontroverted facts, that no genuine issue exists is upon the moving party. When a motion for summary judgment is supported by evidentiary matter, the adverse party may not rest on mere allegations in the pleadings but must set forth specific facts showing that there is a genuine issue for trial. If no genuine issue of material fact exists it must then be determined whether the moving party is entitled to judgment as a matter of law." *LaPlante* at 158

genuine issues of material facts exist.²¹ “A material fact is one upon which the outcome of the litigation depends.”²²

15. While summary judgment is designed to avoid useless trials, where there is genuine issue as to any material fact, trial is not useless, but is absolutely necessary.²³ Neither Staff nor Dolly have entered or stipulated to any agreed facts, material or otherwise and Dolly adamantly disagrees with Staff’s statement of issues and facts to be decided as well as the conclusion that the cost or expense of a hearing has greater importance than the hearing itself.

16. While the function of summary judgment is avoidance of long and expensive litigation productive of nothing,²⁴ under CR 56, the expense of a hearing never supersedes or displaces the need for a hearing. Moreover, a hearing to determine whether Dolly is eligible for a grant of operating authority will be neither “long” nor “expensive.”

17. As a matter of law, the Commission should reject Staff’s Motion for failing to articulate the correct standard the Commission should use to determine the Motion. In addition to inventing its own standard for the Commission to decide the Motion, Staff’s Motion fails to meet the standards for summary determination because genuine issues of material fact exist, and that alone is reason enough for the Commission to deny Staff’s Motion as a matter of law, as explained below.²⁵

B. Staff’s Motion Fails to Meet the Standard for Summary Determination Because Genuine Issues of Material Fact That Must Be Explored at a Hearing Exist

1. Dolly Disputes the Facts and Exhibits Included with Staff’s Motion

18. There are several factual issues that can only be resolved at a hearing. First, Staff’s Motion is 13 pages long and has 27 attachments that includes another 160 pages. Staff’s Motion states, “Staff performed another review of Dolly’s operations to see if the imposition of suspended penalty caused Dolly to cure its noncompliance with the Commission’s orders. Alas, it did not. Staff found numerous advertisements for the provision of regulated services in

²¹ CR 56.

²² *Jacobsen v. State*, 89 Wn.2d 104, 108 (1977).

²³ *Moore v. Pacific Northwest Bell*, 34 Wash. App. 448 (1983).

²⁴ *Padron v. Goodyear Tire & Rubber Co.*, 34 Wash. App. 473, 662 P.2d 67 (Div. 3 1983).

²⁵ “Judgment” in this case would consist of the Commission ruling in favor of Staff’s arguments and determining that Dolly is will not have a hearing to determine its eligibility to apply for provisional or permanent operating authority.

Dolly's digital presence.”²⁶ Dolly should be allowed to explore this topic and cross-examine Staff's witness at hearing.

19. Granting Staff's Motion also denies Dolly the opportunity to challenge the evidence Staff submitted under the Washington Rules of Evidence. Staff's exhibits and witness should be required to withstand the weight and scrutiny of cross-examination; that can only be accomplished at a hearing. “Such a weighing, such a scrutiny of the ‘evidence’ are all elements foreign to the concept of the summary judgment proceedings.”²⁷ For example, Staff's Attachment K²⁸ is simply a screenshot of Dolly's Facebook page which is submitted as evidence of Dolly's non-compliance with “Order 04, Order 05, Order 06, Order 07, and Order 08 (not to mention Corrected Order 02).”²⁹ A simple screenshot of a Facebook page that contains no substantive information whatsoever is hardly evidence of non-compliance with Orders 04 through Corrected Order 02. However, Staff presents Attachment K as material evidence of non-compliance. The Commission must grant Dolly the right, under CR 56, to dispute this assertion, as well as many others that exist, in Staff's filings.

2. That Dolly Paid the Penalty at Issue in this Docket is a Genuine Issue of Material Fact Relevant to Determining Dolly's Regulatory Fitness

20. Dolly paid the penalty in full on November 1, 2018³⁰, the very next day after the Commission filed Order 09 making the penalty due “immediately.”³¹ Staff's Motion states, “The Commission ordered that the penalty it had imposed after Dolly's noncompliance with its final order became due and payable on October 10, 2018. Despite that, Dolly has not paid the penalty.” Again, Staff misrepresents the facts. On October 10, the WUTC sent Dolly an Invoice for \$69,000.³² Staff's Motion is dated October 11. Rather than acknowledge the Invoice, Staff

²⁶ See *Staff Motion*, at 4-5 ¶ 11.

²⁷ *McDonald v. Murray*, 83 Wash. 2d 17, 20 (1973).

²⁸ Decl. of Susie Paul, Attachment K.

²⁹ *In the Matter of Determining the Proper Carrier Classification of, and Complaint for Penalties Against Dolly, Inc.*, Docket No. TV-171212, Staff's Answer to Dolly's Petition for Reconsideration of Order 08 and Stay the Effective Date of Order 08, at 8 ¶ 13 (Oct. 22, 2018).

³⁰ See Attachment B.

³¹ *In re Application of Dolly, Inc., Permit to Operate as a Motor Carrier of Household Goods and a Permit to Operate as a Motor Freight Common Carrier*, Docket No. TV-180605, Order 09, at 5 ¶ 18. (Oct. 31, 2018).

³² See Attachment C (Final Notice: Invoice in the amount of \$69,000 dated Oct. 10, 2018). *Note: The Invoice states two due dates April 13, 2018 and August 20, 2018 that correspond to no dates in which the Commission demanded payment from Dolly. The Invoice itself is the first communication to Dolly demanding payment other than the many contested Orders in Docket No. TV-171212, which as explained above have continually moved and obfuscated the true due date.

chose to ignore it in an attempt to bolster its claim that Dolly has willfully disregarded the Orders in Docket No. TV-171212.

21. As Dolly's Petition for Reconsideration of Order 08 states, the penalty due date in Docket TV-171212 has been a moving target.³³ However, Staff's argues that Dolly knew of the October 10 due date even though the Invoice is dated October 10 and provides an additional 15 days for remittance of the payment.³⁴ Clearly, there has been some confusion regarding the due date of the penalty which is why Dolly's Petition for Reconsideration of Order 08 also requested the Commission stay the effective date of the penalty while it considered the Petition for Reconsideration.³⁵
22. Rather than present the actual facts, Staff would have the Commission believe that Dolly is willfully disregarding penalty and then deny Dolly's permit application based on those assertions.³⁶ Dolly believes testimony and evidence regarding the penalty the would be helpful for the Commission in determining Dolly's fitness.

C. Staff's Motion Misstates the Relevant Issues to be Decided at a Hearing

23. Staff's description of the issues to be decided at hearing misstates the issues. The initial inquiry is whether Dolly qualifies for *provisional* operating authority under WAC 480-15-302.³⁷ Staff's motion fails to apply and interpret WAC 480-15-302, which undermines the very intent of the Motion. WAC 480-15-302 requires that applicants for permanent operating authority must operate on a provisional basis for at least six months.³⁸ During this time, the Commission can evaluate whether the Applicant has met the criteria in WAC 480-15-305 for obtaining *permanent* authority.³⁹

³³ *In the Matter of Determining the Proper Carrier Classification of, and Complaint for Penalties Against Dolly, Inc.*, Docket No. TV-171212, Dolly, Inc., Petition for Reconsideration of Order 08 and Stay the Effective Date of Order 08, at 5 ¶ 12 (Oct. 15, 2018).

³⁴ See Attachment C.

³⁵ See Docket No. TV-171212, Dolly, Inc., Petition for Reconsideration of Order 08 and Stay the Effective Date of Order 08, at 5 ¶ 12 (Oct. 15, 2018).

³⁶ See *Staff Motion*, at 11–12 ¶ 28–30.

³⁷ Enacted by RCW 81.80.290

³⁸ RCW 81.80.170. See also, *In Re Application of KE Moving Servs., LLC, for Permanent Auth. to Operate as A Motor Carrier of Household Goods*, 01, 2015 WL 9310510, Docket TV-152359, Order 01 at 1 (Dec. 18, 2015); and, *In Re Application of Hidden Door Holdings, LLC, d/b/a Coll. Hunks Hauling Junk, for Permanent Auth. to Operate As A Motor Carrier of Household Goods*, Docket TV-152127, Order 01 at 1 (Nov. 25, 2015).

³⁹ *In Re Application of Empty Truck Co., LLC, d/b/a Empty Truck Co., for Permanent Auth. to Operate as a Motor Carrier of Household Goods*, 01, 2014 WL 4804752, Docket No. TV141536, Order 01 at 1 (Sept. 22, 2014)

24. Staff's Motion intends to do an end-run around the provisional operating rule and preempt Dolly's six-month probationary period which effectively denies Dolly the opportunity to remedy any infirmities the Commission determines to exist during Dolly's provisional operating period. Dolly deserves the right to question Staff's witnesses on this vital issue so the Commissioners can decide for themselves whether Dolly qualifies for provisional operating authority, as the rule intends.

25. Staff may argue that Dolly does not qualify for provisional operating authority under WAC 480-15-302(13) which states, "No other circumstances exist that cause the commission to deny the application." This is a, "catch-all' provision that allows denial of an application when 'other circumstances exist' showing that granting the permit would not be in the public interest."⁴⁰ However, the only published cases where the Commission invoked this provision involved applicants were convicted criminals.⁴¹ As such, applying this provision to deny Dolly's application would be a radical departure from the Commission's precedent of granting provisional operating authority to applicants of permanent operating authority. Dolly should be allowed to plead its case at a full hearing for the Commission to decide Dolly's fitness for provisional and permanent operating authority.⁴²

D. Staff Cites No Commission Precedent that Finds a Hearing is Unnecessary to Determine a Carrier's Fitness to Receive an Operating Permit

26. In addition to failing to apply the applicable standard for review and regulations as noted immediately above, Staff's Motion also fails to apply and analyze relevant Commission precedent. In short, The Commission has never granted a motion for summary determination denying the non-moving party a hearing after issuing a Notice of Intent to Deny Application for Permanent Authority and Notice of Opportunity for Hearing ("Notice"). However, there are a

⁴⁰ See *In re Application of B&Z Moving, L.L.C. For a Permit to Operate as a Motor Carrier of Household Goods*, Initial Order Denying Application for Permanent Authority, Docket No. TV-130259, Order 01 (May 10, 2013).

⁴¹ See *id.*; and *In re Application of Rainier Moving Company, LLC For a Permit to Operate as a Motor Carrier of Household Goods*, Docket No. TV-160323, Order 01 (July 12, 2016); and *In re Application of Heath, Annavilla L. d/b/a Movers4U For a Permit to Operate as a Motor Carrier of Household Goods*, Initial Order Denying Application for Permanent Authority, Docket No. TV-151116, Order 01 (Oct. 22, 2015).

⁴² When granting provisional authority, "the Commission does not prejudice in any way the action it may take on the Applicant's request for permanent authority, nor whether the Applicant has met the criteria for permanent authority." Here, Staff's Motion seeks to prejudice whether Dolly will qualify for permanent authority. See *In re Application of KE Moving Services, LLC, for Permanent Authority to Operate as a Motor Carrier of Household Goods*, Docket No. TV-152359, Order 01 at 2 (Dec. 18, 2015).

handful of instructive cases where an applicant sought operating authority after the Commission issued a Notice in lieu of an outstanding cease and desist order.⁴³

27. In 2013, the Commission issued a cease and desist order and Notice to B&Z Moving.⁴⁴ In that case the applicant, Mr. Gripp, was initially denied permanent operating authority due to intentionally submitting misleading information regarding his business partner's, Mr. Trick's, criminal history as a convicted sex offender.⁴⁵ The Commission held a hearing to decide the issues allowing Mr. Gripp to plead his case. After sufficiently correcting the defect with his business operations, Mr. Gripp was later granted provisional operating authority in a separate docket.⁴⁶
28. In 2015, the Commission issued a cease and desist order and Notice to Movers4U.⁴⁷ In that case the applicant was initially denied permanent operating authority due to intentionally submitting misleading information in their application, possessing an extensive criminal history, having an outstanding penalty, and demonstrated 3a fundamental lack of candor towards the Commission.⁴⁸ The issues were decided at a hearing.
29. In 2017, the Commission issued a cease and desist order to Acme Moving Labor.⁴⁹ In that case the applicant entered into a settlement agreement with Staff⁵⁰ and was later granted operating authority.⁵¹
30. After an examination of all relevant Commission precedent, it stands to reason that Dolly qualifies for provisional operating authority while the Commission determines its fitness for

⁴³ However, none of those cases were appealed to Superior Court.

⁴⁴ See *In re Application of B&Z Moving, L.L.C. For a Permit to Operate as a Motor Carrier of Household Goods*, Initial Order Denying Application for Permanent Authority, Docket No. TV-130259, Order 01 (May 10, 2013).

⁴⁵ See *id.*

⁴⁶ *In re Application of B&Z Moving, L.L.C. For a Permit to Operate as a Motor Carrier of Household Goods*, Order Granting Temporary Authority, Subject to Conditions, Pending Decision on Permanent Authority, Docket No. TV-130869, Order 01 (June 2013).

⁴⁷ *In re Application of Heath, Annavilla L. d/b/a Movers4U For a Permit to Operate as a Motor Carrier of Household Goods*, Initial Order Denying Application for Permanent Authority, Docket No. TV-151116, Order 01 (Oct. 22, 2015).

⁴⁸ See *id.*

⁴⁹ *In the Matter of Determining the Proper Carrier Classification of, and Complaint for Penalties against: Cheryl Ball d/b/a Acme Moving Labor*, Docket No. TV-161206 and TV-170103 (consolidated), Order 01 (Jan. 5, 2017).

⁵⁰ *In the Matter of Determining the Proper Carrier Classification of, and Complaint for Penalties against: Cheryl Ball d/b/a Acme Moving Labor*, Docket No. TV-161206 and TV-170103 (consolidated), Initial Order Granting Motion to Consolidate; Approving Settlement Agreement, Order 05/01 (April 10, 2017).

⁵¹ See *id.*, File cleared – 180-day provisional period over (Oct. 11, 2017).

permanent operating authority. Dolly should be permitted the opportunity to present evidence to that effect at the December 19, 2018 hearing which has already been scheduled.

VI. CONCLUSION

31. Staff's Motion fails to identify a single instance where a motion for summary determination denying the non-moving party the opportunity to be heard was granted where the Commission: (1) Issued a Notice of Opportunity for Hearing to the non-moving party,⁵² (2) The Commissioners expressed their interest in and intent to attend the hearing,⁵³ (3) The ALJ filed a procedural schedule and scheduled the hearing,⁵⁴ (4) The non-moving party and Staff filed no stipulated facts, and (5) The non-moving party contested facts material to Staff's Motion. Staff's Motion cites no such precedent because it does not exist. This should not be the first time.
32. Respectfully submitted this 2ND day of November, 2018

DOLLY



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⁵² See generally Docket No. TV-180605, Notice of Hearing (Oct. 31, 2018).

⁵³ See Attachment A.


⁵⁴ See Docket No. TV-180605, Notice of Hearing, at 1-3 ¶¶ 5-14 (Oct. 31, 2018).



TV-180605 Dolly Application - Hearing dates

Doyle, Paige (UTC) <paige.doyle@utc.wa.gov>

Mon, Oct 8, 2018 at 12:10 PM

To: "Roberson, Jeff (UTC)" <jeff.roberson@utc.wa.gov>, 

Good afternoon,

The commission would like to schedule a hearing in docket TV-180605. The Commissioners will be sitting on this hearing, so due to their busy schedules we have limited time available over a wide time period. Please let me know your full availability for the dates below at your earliest convenience.

Nov. 1 (afternoon)

Nov. 26 (afternoon)

Dec. 10 (morning)

Dec. 19 (afternoon)

We are always willing to entertain preferences, but since that is not always an option please do provide your availability or conflict for all dates.

Thank you,

Paige Doyle
Paralegal

Administrative Law Division

(360) 664-1140 | pdoyle@utc.wa.gov

Utilities and Transportation Commission

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www.utc.wa.gov

Attachment B

From: WA UTC Payments <DoNotReply@utc.wa.gov>

Sent: Thursday, November 1, 2018 6:09 PM

To: WUTC@dolly.com

Subject: UTC Payment Confirmation



Thank You for Submitting Your Payment

Your payment of \$69,000.00 has been processed on 11-1-2018 6:08 PM.
(Please allow up to three business days for this charge to post to your account.)

Confirmation Number: [REDACTED]

Company: Dolly, Inc.

Invoice Number: [REDACTED]

Any questions can be directed to Accounts Receivable, 360-664-1349.

Attachment C



Final Notice INVOICE

Utilities & Transportation Commission
 1300 S. Evergreen Park Drive S.W.
 Olympia, Washington 98504-7250
 (360) 664-1349 Accounts Receivable
 (360) 664-1289 Fax
 Federal Tax ID: 91-6001121

Date: October 10, 2018

Agency No.: [REDACTED]

Invoice No.: [REDACTED]

If payment is not received within 15 days of this invoice, your account will be referred to the Office of the Attorney General and may be subject to interest and collection fees

To: **Michael Howell**
Dolly, Inc.
901 5th Avenue, Suite 600
Seattle, WA, 98164
United States

Reference	Docket Number	Due Date
A penalty assessment has been issued to you by Commission order.	TV-171212	Due Upon Receipt
Description	Contact Name	Amount
Payment Due April 13, 2018		\$34,500.00
Payment Due August 20, 2018		\$34,500.00
Balance Due		\$69,000.00

Please remit payment to: **Utilities and Transportation Commission**
Attn: Financial Services
PO Box 47250
Olympia WA 98504-7250

Pay your invoice online at payments.utc.wa.gov

*A convenience fee of 2.5% (minimum of \$3.95) is charged by Official Payments for processing credit card payments.

AGENCY USE ONLY	
Receipt ID	
Payment ID	
Supplemental Info	
Amount Received	
Date Received	

If you have any questions concerning this invoice please call Accounts Receivable at 360-664-1349