

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the  
Proper Carrier Classification of:

RIDWELL, INC.

DOCKET TG-200083

ORDER 02

PREHEARING CONFERENCE  
ORDER; NOTICE OF HEARING  
(Set for May 12, 2020,  
at 9:30 a.m.)

- 1 **NATURE OF PROCEEDING.** On March 5, 2020, the Washington Utilities and Transportation Commission (Commission) entered Order 01, Order Instituting Special Proceeding; Complaint Seeking Classification; and Notice of Brief Adjudicative Proceeding (Order 01) against Ridwell, Inc. (Ridwell). Among other things, Order 01 determined that a brief adjudicative proceeding (BAP) was appropriate for resolving the issues in this docket, and set time for hearing oral statements before Administrative Law Judge Samantha Doyle on April 17, 2020.
- 2 On April 6, 2020, the Commission issued a notice (Notice) which set the matter for full adjudication and converted the scheduled BAP into a prehearing conference. The Notice also substituted Administrative Law Judge Gregory J. Kopta as the presiding officer in this matter.
- 3 **CONFERENCE.** The Commission convened a telephonic prehearing conference in this docket on April 17, 2020, before Administrative Law Judge Gregory J. Kopta.
- 4 **APPEARANCES.** Jeffrey D. Goltz and Louis Russel, Cascadia Law Group, Olympia, Washington, and Jay Derr, Van Ness Feldman LLP, Seattle, Washington, represent Ridwell. Nash Callaghan, Assistant Attorney General, Olympia, Washington, represents the Commission’s regulatory staff (Commission Staff or Staff).<sup>1</sup> Contact information

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<sup>1</sup> In formal proceedings, such as this, the Commission’s regulatory staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners’ policy and accounting advisors do not discuss the merits of this proceeding with the regulatory staff, or any other party, without giving notice and opportunity for all parties to participate. See RCW 34.05.455.

provided at the conference for the parties' representatives is attached as Appendix A to this order.

5 **DISCOVERY.** The parties asked that the Commission make its discovery rules available in this docket, under WAC 480-07-400. The matter is one that qualifies for discovery, and the discovery rules, WAC 480-07-400 – 425, are available.

6 **PROCEDURAL SCHEDULE.** The parties agreed on a procedural schedule during the conference. The Commission adopts this procedural schedule, which is attached to this Order as Appendix B.

7 **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 by 5 p.m. on the filing deadline established in the procedural schedule (or other deadline as applicable) unless the Commission orders otherwise. If any of the documents contain information that is designated as confidential or highly confidential, the party must also file an electronic copy (in Adobe Acrobat (.pdf) of the redacted version of each such document. Parties must follow WAC 480-07-140(5) in organizing and identifying electronic files. Parties may submit documents electronically through the Commission's Web Portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)) or by email to [records@utc.wa.gov](mailto:records@utc.wa.gov).

(b) 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](mailto:gregory.kopta@utc.wa.gov)) by 5 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive.

8 **EXHIBITS.** Parties are required to file with the Commission and serve all proposed exhibits by 5 p.m. on **May 5, 2020**. The Commission requires electronic copies in searchable Adobe Acrobat (.pdf). Each exhibit must be a distinct electronic document (*i.e.*, multiple exhibits must not be scanned or otherwise combined in the same document).

9 **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. The parties must file and serve their exhibit lists by 5 p.m. on **May 5, 2020.**

10 **WITNESS LISTS.** Each party must provide a list of witnesses the party intends to call to testify on the party's behalf at the hearing and a brief summary of the witness's testimony if the witness is not providing prefiled testimony. Parties should not file witness lists but must provide them to the administrative law judge and the other parties by 5 p.m. on **May 5, 2020.**

11 **NOTICE OF HEARING.** The Commission will hold an evidentiary hearing in this matter on **May 12, 2020**, at **9:30 a.m.**, in the Commission's Richard Hemstad Hearing Room, 621 Woodland Square Loop SE, Lacey, Washington, if possible. If, however, the "Stay Home - Stay Healthy" Proclamation currently set to expire on May 4, 2020, is extended, parties may appear telephonically by calling (360) 407-3810 and entering the conference ID 6102362, or via Skype for Business at the following link:  
<https://lync.wa.gov/utc.wa.gov/meet/aldcalendar/TOQB67B3>.

12 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact Rayne Pearson, Director, Administrative Law Division ([rayne.pearson@utc.wa.gov](mailto:rayne.pearson@utc.wa.gov) or 360-664-1136).

13 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of the order in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this matter, subject to Commission review.**

Dated at Olympia, Washington, and effective April 17, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

*/s/ Gregory J. Kopta*  
GREGORY J. KOPTA  
Administrative Law Judge

<b>APPENDIX A</b>			
<b>PARTIES' REPRESENTATIVES DOCKET TG-200083</b>			
<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>E-MAIL</b>
Ridwell, Inc.	Jay Derr Van Ness Feldman LLP 719 Second Avenue, Suite 1150 Seattle, WA 98104-1728	(206) 623 9273	<a href="mailto:jpd@vnf.com">jpd@vnf.com</a>
	Jeffrey D. Goltz Louis Russell Cascadia Law Group, PLLC 606 Columbia Street NW, Ste. 212 Olympia, WA 98501	(360) 628-3026	<a href="mailto:jgoltz@cascadialaw.com">jgoltz@cascadialaw.com</a> <a href="mailto:lrussell@cascadialaw.com">lrussell@cascadialaw.com</a>
	Ryan Metzger Ridwell, Inc. PO Box 19737 Seattle, WA 98109	(206) 483-2843	<a href="mailto:ryan@ridwell.com">ryan@ridwell.com</a>
Commission Staff	Nash Callaghan Assistant Attorney General Office of the Attorney General Utilities and Transportation Commission P.O. Box 47250 Olympia, WA 98504	(360)-664-1187	<a href="mailto:nash.callaghan@utc.wa.gov">nash.callaghan@utc.wa.gov</a>

**APPENDIX B  
PROCEDURAL SCHEDULE  
DOCKET TG-200083**

<b>EVENT</b>	<b>DATE</b>
Settlement Conference (parties only)	<b>Week of April 27, 2020</b>
Staff Direct Testimony (if Staff intends to substantially supplement the investigation report)	<b>April 30, 2020</b>
Company Testimony and Exhibits, Staff Exhibits, and Exhibit and Witness Lists for Both Parties	<b>May 5, 2020</b>
Evidentiary Hearing	<b>May 12, 2020</b>
Simultaneous Post-Hearing Briefs, if authorized	<b>TBD</b>