

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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

APEX LIMOUSINE LLC

DOCKET TE-161261

DECLARATION OF
MICHAEL TURCOTT

I, MICHAEL TURCOTT, under penalty of perjury under the laws of the State of Washington, declare as follows:

1 I am over 18 years of age, a citizen of the United States, a resident of the State of Washington, and competent to be a witness.

2 I am employed by the Washington Utilities and Transportation Commission (Commission) as a Compliance Investigations Supervisor. I have held this position since July 1, 2017, and I have worked as an investigator at the Commission since October 1, 2015.

3 On August 14, 2017, the Commission entered Order 02, Initial Order Classifying Respondent as a Charter Party Carrier or Excursion Carrier; Ordering Respondent to Cease and Desist; Imposing and Suspending Penalties on Condition of Future Compliance (Order 02). Order 02 also assessed a penalty of \$10,000 against Apex Limousine, LLC (Apex Limousine) for two violations of Revised Code of Washington (RCW) 81.70.220.

4 In Order 02, the Commission suspended a \$6,700 portion of the penalty for two years conditioned on Apex Limousine: (1) permanently refraining from operating as a charter party or excursion carrier without first obtaining the required permit from the Commission, (2) complying with all applicable statutes and Commission rules, and (3) paying the \$3,300 portion of the penalty that was not suspended or filing jointly with Commission Staff (Staff) a mutually agreeable payment arrangement within 10 days of the effective date of Order 02. Apex Limousine did not contest Order 02.

5 As of the date of this declaration, Apex Limousine's company website (www.apexlimoseattle.com) continues to advertise charter party or excursion services, and the company has not paid the \$3,300 penalty or contacted Staff to establish a payment arrangement. On February 6, 2018, I took a screenshot of the Apex Limousine website homepage, which is attached to this declaration as Attachment A. The screenshot shows images of a large black International party bus, and a description of Apex Limousine's services:

"Apex Limousine is the Seattle area's full-service transportation company that will satisfy all of your ground transportation requests from limo and party bus rental, to airport or corporate car service."

Another image of the black International party bus appears lower on the home page, with a button to “request a quote” and a description:

“Party the night away in Seattle with our party bus. Rent it for a night out on the town and bring 23 of your closest friends along for the ride!”

Staff recommends that the Commission impose the suspended portion of the penalty, \$6,700, and require Apex Limousine to pay the entire penalty of \$10,000.

DATED at Olympia, Washington, and effective this 16th day of February, 2018.

MICHAEL TURCOTT