0040

 1 BEFORE THE WASHINGTON

 2 UTILITIES AND TRANSPORTATION COMMISSION

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 4 In the Matter of Determining )

 the Proper Carrier )

 5 Classification of, and )

 Complaint for Penalties ) Docket NO. TE-180401

 6 against: )

 )

 7 SEATTLE 7 DAYS LIMO )

 )

 8 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 9 BRIEF ADJUDICATIVE PROCEEDING, VOLUME II

10 Pages 40 - 73

11 ADMINISTRATIVE LAW JUDGE LAURA CHARTOFF

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12

13 1:03 P.M.

14 JANUARY 3, 2019

15

 Washington Utilities and Transportation Commission

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0041

 1 A P P E A R A N C E S

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 4 Transportation Commission

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16

 THE RESPONDENT:

17

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18 Seattle 7 Days Limo

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19 Edmonds, Washington 98026

 425.361.9283

20 support@seattle7dayslimo.com

21 ALSO PRESENT:

22 AMANDEEP SINGH

23

 -o0o-

24

25

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15 GoDaddy (Nov. 2018) and

 Cancelled Liability

16 Insurance Certificate

17

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23 -o0o-

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0043

 1 OLYMPIA, WASHINGTON; JANUARY 3, 2019

 2 1:03 P.M.

 3 -o0o-

 4

 5 JUDGE CHARTOFF: We are on the record.

 6 Today is Thursday, January 3rd, 2019, the time is

 7 1:05 p.m., and the docket is TE-180401, which is

 8 captioned In the Matter of Determining the Proper

 9 Carrier Classification of, and Complaint For

10 Personalities Against: Seattle 7 Days Limo. My name

11 is Laura Chartoff, I am the administrative law judge

12 presiding over today's brief adjudicative proceeding.

13 Let's start by taking short appearances of the

14 parties starting with Staff.

15 MR. DALLAS: Good morning, Judge

16 Chartoff. I am Joe Dallas, I am an assistant attorney

17 general with the Utilities and Transportation

18 Commission, and I'm here representing Commission

19 Staff.

20 JUDGE CHARTOFF: Thank you.

21 Okay. And can you please state your name?

22 MR. SINGH: Jagdip Singh.

23 JUDGE CHARTOFF: What is your

24 relationship to the company?

25 MR. SINGH: I am the owner of the

0044

 1 company.

 2 JUDGE CHARTOFF: Thank you.

 3 Okay. I will do a short introduction about

 4 why we are here. This is a special proceeding under

 5 RCW 81.04.510 to determine whether Seattle 7 Days Limo

 6 is conducting business as a passenger charter party or

 7 excursion carrier without the required permit. If we

 8 find that Seattle 7 Days Limo is engaging in such

 9 conduct, the Commission will issue an order requiring

10 the company to cease and desist from engaging in

11 business as a charter party and excursion carrier

12 unless or until the company obtains the required

13 permit from the Commission.

14 And we also have a complaint for penalties.

15 Any person who engages in business as a charter party

16 or excursion service carrier in the state of

17 Washington after its certificate has been cancelled is

18 subject to a penalty of up to $5,000 per violation,

19 and here Staff has requested penalties of up to 5,000

20 per violation and indicated it will present evidence

21 at the hearing to address the factors for determining

22 the appropriate penalty amount.

23 So as far as the order today, Staff will

24 present its case first, and then you will present your

25 case second.

0045

 1 MR. SINGH: Sure.

 2 JUDGE CHARTOFF: When I call on each

 3 party to testify, I will swear you in with the oath of

 4 witness so that anything you tell the Court will be

 5 under oath and can be considered sworn testimony. For

 6 the court reporter's benefit, please speak slowly and

 7 clearly, and also please be sure to use the microphone

 8 on the table in front of you.

 9 Mr. Dallas, you can proceed when you are

10 ready.

11 MR. DALLAS: Thank you, Judge Chartoff.

12 Staff alleges that Seattle 7 Days Limo has

13 committed two violations of RCW 81.70.260. In part,

14 this statute states that after the cancellation or

15 revocation of the certificate, it is unlawful for a

16 charter party carrier to conduct any operations as

17 such a carrier. Any person who conducts operations as

18 a charter party in violation of the statute is subject

19 to a penalty of up to $5,000 per violation; therefore,

20 it is unlawful to conduct any operations as a charter

21 party carrier after cancellation or revocation of a

22 certificate.

23 Under RCW 81.70.260, the term "conduct any

24 operations" includes advertising or offering to

25 provide charter party carrier services and further

0046

 1 states that each advertisement and/or offer

 2 constitutes a separate violation. A charter party

 3 carrier is defined in RCW 81.70.020.

 4 It is important to note that the definition of

 5 a charter party carrier does not include limousine

 6 carriers, which are defined in RCW 46.04.276. A

 7 limousine carrier means any person engaged in the

 8 transportation of a person or groups of persons who,

 9 under a single contract, acquires on a prearranged

10 basis the use of a limousine to travel to a specified

11 destination or for a particular itinerary; therefore,

12 one of the elements necessary to operate as a

13 limousine carrier is that you must be operating a

14 limousine.

15 A limousine is defined in RCW 46.04.272 and

16 Washington Administrative Code 308-83-010. Relevant

17 to this matter there are six different categories of

18 limousines, all of which hold no more than 14

19 passengers. Staff intends to present sufficient

20 evidence that will show Seattle 7 Days Limo, one,

21 conducted operations; two, as a charter party carrier;

22 three, after cancellation or revocation of its

23 certificate; and, four, that the company was not

24 operating as a limousine carrier.

25 Staff will present its evidence through

0047

 1 Mr. Jason Hoxit, who will testify about Staff's

 2 investigation and determination regarding Seattle 7

 3 Days Limo.

 4 I would ask at this time to call Mr. Jason

 5 Hoxit to the stand.

 6 JUDGE CHARTOFF: Please stand.

 7 MR. HOXIT: (Complies.)

 8

 9 JASON HOXIT, witness herein, having been

10 first duly sworn on oath, was

11 examined and testified as follows:

12

13 JUDGE CHARTOFF: Thank you.

14

15 E X A M I N A T I O N

16 BY MR. DALLAS:

17 Q Mr. Hoxit, would you please state your name

18 and spell your last name for the record?

19 A Jason Hoxit.

20 Q And what is your current occupation?

21 A Compliance investigator in the Consumer

22 Protection Division.

23 Q And how long have you been in that position?

24 A A little over four years.

25 Q And what does that position involve?

0048

 1 A It entails conducting investigations into the

 2 business practices of both permitted and nonpermitted

 3 companies.

 4 Q Thank you.

 5 Are you familiar with the matter involving

 6 Seattle 7 Days Limo?

 7 A Yes, I am.

 8 Q And how are you involved?

 9 A I am the investigator assigned to the matter.

10 Q And I am showing you a document that has been

11 identified as Exhibit JH-1.

12 JUDGE CHARTOFF: Judge, I have two

13 copies of my proposed exhibit on the bench if you

14 would like to follow along. The first tab is proposed

15 Exhibit JH-1 and the second tab is proposed Exhibit

16 JH-2.

17 I also have a copy for Mr. Singh, if you would

18 like a copy.

19 MR. SINGH: Yeah. Which one is it?

20 What page?

21 MR. DALLAS: This is my proposed

22 exhibit.

23 May I approach Mr. Singh?

24 JUDGE CHARTOFF: Yes.

25 MR. SINGH: Thank you.

0049

 1 BY MR. DALLAS:

 2 Q Mr. Hoxit, what is Exhibit JH-1?

 3 A This is a declaration pertaining to Seattle 7

 4 Days Limo.

 5 Q And are you familiar with this exhibit?

 6 A Yes, I am.

 7 Q And how are you familiar?

 8 A I am the author of the declaration.

 9 Q And in your declaration, how many attachments

10 are within it?

11 A There are Attachments A through F.

12 Q And do you agree with the information

13 contained in this exhibit?

14 A Yes, I do.

15 Q Do you have any changes that you would like to

16 make to this exhibit?

17 A No, I do not.

18 MR. DALLAS: At this time I would offer

19 to enter proposed Exhibit JH-1 into evidence.

20 JUDGE CHARTOFF: Mr. Singh, do you have

21 any objection?

22 MR. SINGH: No.

23 JUDGE CHARTOFF: Okay. Exhibit JH-1 is

24 admitted.

25 (Exhibit No. JH-1 admitted.)

0050

 1 BY MR. DALLAS:

 2 Q I would like to ask you some questions of

 3 Exhibit JH-1. With regard to Seattle 7 Days' website,

 4 how did Staff initially become involved in this

 5 matter?

 6 A On April 30th of 2018, I located the website

 7 for Seattle 7 Days Limo. On the website it advertised

 8 a Hummer H2 that seated 16 to 22 passengers, a stretch

 9 Hummer that seated 25 to 30 passengers, as well as a

10 party bus that seated 14 to 22 passengers, and the

11 website also contained prices for those various

12 vehicles.

13 Q Could you please reference Attachments A and B

14 in Exhibit JH-1.

15 A (Complies.)

16 Q Are these the advertisements you observed on

17 April 30th, 2018?

18 A Yes.

19 Q Could you please turn to what has been marked

20 as Exhibit JH-2?

21 A (Complies.)

22 Q What is this document?

23 A This is an application for charter and

24 excursion services in the state of Washington.

25 Q Did Seattle 7 Days fill out this information

0051

 1 contained in this application?

 2 A Yes, they did.

 3 Q Do you believe the information contained

 4 within this application is authentic and what Seattle

 5 7 Days originally submitted to the Commission?

 6 A Yes.

 7 Q Do you have any changes you would like to make

 8 to Exhibit JH-2?

 9 A No.

10 MR. DALLAS: At this time I would offer

11 to propose Exhibit JH-2 into evidence.

12 JUDGE CHARTOFF: Have you seen JH-2?

13 MR. SINGH: Yeah, I have.

14 Let me check. Yes.

15 JUDGE CHARTOFF: Do you have any

16 objections?

17 MR. SINGH: No.

18 JUDGE CHARTOFF: Okay. JH-2 is

19 admitted.

20 (Exhibit No. JH-2 admitted.)

21 BY MR. DALLAS:

22 Q Please turn to the second page of Exhibit

23 JH-2.

24 A (Complies.)

25 Q What did Seattle 7 Days put as their website

0052

 1 on this application?

 2 A The website listed on the application is

 3 www.seattle7dayslimo.com.

 4 Q And is this the same website where you viewed

 5 the advertisement on April 30th, 2018?

 6 A Yes, it is.

 7 Q Could you also read the phone number the

 8 company provided in its application?

 9 A Yes. The phone number listed is

10 (425) 361-9283.

11 Q Is this the same phone number as the one you

12 observed on the website advertisement you observed on

13 April 30th, 2018?

14 A Yes, it is.

15 Q Moving on.

16 After viewing this advertisement, did you

17 determine whether the company had the proper operating

18 authority?

19 A Yes, I did.

20 Q And did the company have the proper operating

21 authority?

22 A No, they did not.

23 Q Therefore, on April 30th, 2018, at the time

24 you viewed the advertisement on Seattle 7 Days Limo's

25 website, did the company have an active certificate to

0053

 1 operate as a charter party carrier?

 2 A No.

 3 Q And could you please turn to Attachment C of

 4 Exhibit JH-1?

 5 A (Complies.)

 6 Q Does this attachment show that the company's

 7 certificate was inactive within Commission records at

 8 the time you viewed the advertisement?

 9 A Yes.

10 Q Could you please turn to Attachment D of

11 Exhibit JH-1?

12 A (Complies.)

13 Q Could you explain what this attachment is?

14 A Yes. This is a letter issued to Seattle

15 7 Days Limo from the Commission informing them that

16 their certificate has been cancelled due to

17 insufficient proof of insurance.

18 Q Did you also look to see if the company had

19 any other operating authority?

20 A Yes.

21 Q And what operating authority did it have?

22 A The company held a limousine endorsement

23 through the Department of Licensing.

24 Q Do you believe Seattle 7 Days Limo was

25 properly operating as a limousine carrier, having this

0054

 1 advertisement on the website?

 2 A No.

 3 Q And why not?

 4 A The limousine endorsement through the

 5 Department of Licensing allows the company to

 6 transport up to 14 passengers, whereas the vehicle

 7 capacity advertised in the website exceeded that, on

 8 both their Hummer H2, or stretch Hummer H2, as well as

 9 their party bus.

10 Q Thank you.

11 Please explain what investigative action Staff

12 took in this matter on May 9, 2018.

13 A On May 9th, I posed as a potential customer

14 and contacted the company. I requested a party bus

15 service for 22 to 29 people for a bachelor party, and

16 the company offered me either a Hummer or a party bus

17 for eight hours, and provided rates as well: $1,920

18 for the Hummer and $1,560 for the -- sorry, I got that

19 backwards. $1,920 for the party bus and $1,560 for

20 the Hummer.

21 Q Does Attachment F of Exhibit JH-1 accurately

22 describe the phone call conversation you had on May 9,

23 2018?

24 A Yes, it does.

25 Q And what phone number did you call on May 9,

0055

 1 2018?

 2 A (425) 361-9283.

 3 Q And was this the same phone number as the one

 4 you viewed on the advertisement and the phone number

 5 submitted to the Commission by Seattle 7 Days Limo in

 6 their application?

 7 A Yes, it was.

 8 Q When you called this phone number, who

 9 answered the phone?

10 A I do not know the person that answered the

11 phone.

12 Q After calling this individual, have you spoken

13 to this person again?

14 A Yes, I have.

15 Q And the person you spoke to subsequently, was

16 this the same person who answered the phone call on

17 May 9, 2018?

18 A Yes.

19 Q Was Seattle 7 Days Limo properly operating as

20 a limousine carrier by making you the offer on May 9,

21 2018?

22 A No.

23 Q And why not?

24 A Again, a limousine endorsement allows up to

25 14, and they offered 20 to 30 passengers, to transport

0056

 1 20 to 30 passengers.

 2 Q What does a company need in order to conduct

 3 operations as a charter party carrier?

 4 A You need a charter and excursion certificate

 5 through the Commission.

 6 Q Did Seattle 7 Days Limo have a certificate

 7 from the Commission authorizing it to operate as a

 8 charter party carrier at the time it offered you

 9 transportation services or when you observed the

10 advertisement on their website?

11 A No.

12 Q Does Staff have a recommendation as to

13 classification of Seattle 7 Days Limo?

14 A Yes.

15 Q And what is that?

16 A Staff recommends that the company be

17 classified as a charter and excursion carrier in the

18 state of Washington.

19 Q Do Staff have a recommendation as to penalty?

20 A Yes.

21 Q And what is that?

22 A Staff recommends a penalty of $5,000 per

23 violation, so for a total of two violations, $10,000.

24 MR. DALLAS: Thank you. No further

25 questions.

0057

 1 JUDGE CHARTOFF: Mr. Singh, do you have

 2 any questions for Mr. Hoxit?

 3 MR. SINGH: No.

 4 I've got something to say, and I've got some

 5 paperwork that, actually, I can show you guys --

 6 JUDGE CHARTOFF: Oh, okay.

 7 MR. SINGH: -- on the website.

 8 JUDGE CHARTOFF: Okay.

 9 MR. SINGH: I don't have no -- no

10 questions so far with him.

11 JUDGE CHARTOFF: Okay. So you will get

12 to make your case when Staff is finished.

13 MR. SINGH: Exactly.

14 JUDGE CHARTOFF: Does Staff have

15 anything further?

16 MR. DALLAS: I would like to do a

17 closing after, or would you prefer I do my closing

18 now?

19 JUDGE CHARTOFF: No, you can wait until

20 the end.

21 MR. DALLAS: Okay. Thank you.

22 JUDGE CHARTOFF: Okay. So it's your

23 turn to present your case. Before you get started, I

24 wanted to ask -- I assume you will be testifying?

25 MR. SINGH: Yes.

0058

 1 JUDGE CHARTOFF: Do you have any other

 2 witnesses?

 3 MR. SINGH: No.

 4 JUDGE CHARTOFF: Okay.

 5 MR. SINGH: No witnesses.

 6 JUDGE CHARTOFF: So before you get

 7 started, let me swear you in.

 8

 9 JAGDIP SINGH, witness herein, having been

10 first duly sworn on oath, was

11 examined and testified as follows:

12

13 JUDGE CHARTOFF: Thank you.

14 MR. SINGH: Thank you.

15 I want to say about the website, though. So I

16 started to build this website with a third party,

17 which is -- I hired somebody to create my website, do

18 my domain, because I'm not a tech guy, you know. And

19 then they were talking about it. You know, I was

20 not a party at that time. So when I applied for the

21 UTC, I did have the proof for the insurance. I think

22 they do have, too.

23 You guys want to make a look -- take a look

24 out of this?

25 And I operated for -- for a little bit, the

0059

 1 UTC, that time. It actually has a -- they have a time

 2 period on that, three to four months. I couldn't

 3 afford it, so I shut it down, the operation, so --

 4 which is -- the people who, actually, I bought it

 5 from, you know, they have the -- they have the -- all

 6 the -- the real owner of the domain. So the domain

 7 only works, whoever creates your website. So I don't

 8 have no control over the website, which is the owners

 9 right here.

10 You guys might want to take a look at the

11 domain.

12 And then the domain doesn't really -- the

13 GoDaddy don't give you no passwords until you're the

14 owner, so they want to make sure you're the owner.

15 And here's what -- I actually emailed a few

16 times the company that I actually hired to do it,

17 which is -- which is -- will explain, you know, why I

18 can't get -- you know, when the operation was done,

19 when I cancelled the license and all that, how could

20 I -- I never get the website to remove. So that will

21 explain to you pretty much right here.

22 If you guys want to take a look out of this

23 too.

24 And with the website, they actually provide --

25 you know, there is so many mistakes up here, though.

0060

 1 If I've been running it for so long, I should have

 2 just organized it so much, because it says -- first

 3 said Chrysler 300. That's actually a picture of a BMW

 4 on it. If I'm operating or if I'm trying to advertise

 5 something, I should be doing it pretty accurate so

 6 that people actually don't miss -- I don't mislead

 7 anybody.

 8 So once it got shut down the -- everything. I

 9 called them to make the changes, but they never did.

10 So I had no control over the -- the Go -- you know,

11 the domain, so I can't get the -- without the password

12 I couldn't get access, I can't delete the website.

13 I don't know if they are -- if you guys are

14 sure about that, but if you don't have the password

15 they will not give out the -- no information to you

16 guys at all, even to me. Whoever the owner, they can

17 only do it.

18 But that explains right there. They can even

19 contact the company that I actually hired, though.

20 JUDGE CHARTOFF: Okay.

21 MR. SINGH: Do you also want to take a

22 look too?

23 JUDGE CHARTOFF: Are you seeking to -- I

24 assume this is evidence you want --

25 MR. SINGH: Yes.

0061

 1 JUDGE CHARTOFF: -- to submit to the

 2 Court?

 3 MR. SINGH: Yes, ma'am.

 4 JUDGE CHARTOFF: I would like to see it,

 5 but I want to ask if -- do you have any objections

 6 to --

 7 MR. DALLAS: Staff has no objections.

 8 JUDGE CHARTOFF: Okay. Okay. So you

 9 may approach and bring me a copy.

10 MR. SINGH: Yeah. Sorry, I didn't bring

11 no -- a whole bunch of copies today.

12 Thank you.

13 I'll just do the -- so this is the insurance

14 that I had when I had it.

15 MR. DALLAS: Mr. Singh, is that a copy

16 or is that --

17 MR. SINGH: This is the insurance.

18 Proof that when I was operating, there was 5 million

19 right there. These are the -- proof for the domains,

20 who are the owners, which is -- I'm not. I hired a

21 third party to do it. And these are the emails

22 from -- back from them.

23 JUDGE CHARTOFF: Okay. So I am going to

24 label these all as JS-1, and they are admitted.

25 (Exhibit No. JS-1 admitted.)

0062

 1 JUDGE CHARTOFF: Give me a minute to --

 2 MR. SINGH: No problem.

 3 JUDGE CHARTOFF: -- take a look --

 4 MR. SINGH: Take your time.

 5 JUDGE CHARTOFF: -- at what you have

 6 handed me.

 7 (Pause in the proceedings.)

 8 JUDGE CHARTOFF: So I want to ask you a

 9 couple of questions just to clarify --

10 MR. SINGH: Sure.

11 JUDGE CHARTOFF: -- what you said.

12

13 E X A M I N A T I O N

14 BY JUDGE CHARTOFF:

15 Q It sounds like you hired someone to create the

16 website back when you were certificated --

17 A Yes, ma'am.

18 Q -- with the UTC?

19 A Yes.

20 Q And after your certificate was revoked, you

21 are saying that -- or correct me if I am wrong, but

22 are you saying that they -- you sold your website --

23 A No, no, no.

24 Q -- or you gave up your website?

25 A I told them to just take them down.

0063

 1 Q Okay.

 2 A Which is -- which is on the note too, you

 3 know. It's -- it pretty much explains everything.

 4 Q Which note?

 5 A Right here. This is the email that I wrote to

 6 them and this is them responding back.

 7 Q Okay.

 8 A So these are too.

 9 Q Okay.

10 A And then this is also -- had the owner of this

11 thing right here, you know, the -- who is going to be

12 the domain owner, and the website, so right here.

13 Q And so when did you ask to get the website

14 taken down?

15 A When we got expired tabs and all the -- when

16 we got the paperwork for them, which is, let me see,

17 around November 2006 -- 2016, sorry.

18 Q Do you have anything else to add?

19 A Not for right now. This is -- this is for the

20 advertisement they were talking about. So these are

21 the proof that I actually -- for stating that I wasn't

22 the one who actually -- controlling all of that. I

23 wanted to take it down, so -- I already told them, but

24 they said there's no way they can access the account.

25 And GoDaddy, I tried to contact them too. They said

0064

 1 we need to have the password and -- password and their

 2 district owner, you know, to -- well, we'll get all

 3 the information to you, so...

 4 JUDGE CHARTOFF: I am going to turn this

 5 over for cross.

 6 MR. DALLAS: Staff has no questions.

 7 JUDGE CHARTOFF: Staff has no questions.

 8 Okay. I have a question, then.

 9

10 E X A M I N A T I O N (Continued)

11 By JUDGE CHARTOFF:

12 Q So Mr. Hoxit testified that he had a

13 conversation with the company at the phone number --

14 A Yes.

15 Q -- of the company. Are you -- what is your

16 response to that?

17 A So, ma'am, the response to this is, this is a

18 small industry and we work all together, all the

19 different companies, who got the UTCs [sic] and who

20 don't. And then it don't matter if they have more

21 people. And then, you know, the party bus, I don't

22 have the party busses at all. And then there's other

23 business out there. We'll charge the customer, we

24 send them out the confirmation, and when they -- when

25 they operate, those are the one -- actually operate

0065

 1 the -- all the -- you know, the vehicles and stuff

 2 because we're not authorized to do it.

 3 Does it make sense, or no?

 4 Q No.

 5 A So I'm a limousine company, and there's a few

 6 other companies who work together, and they've got a

 7 UTC, and they all certified, and we work together. So

 8 if I get a call, you know, we'll take the commission

 9 out, and whatever, it's 20 percent. We'll just take

10 the rest -- rest to the -- to the company who actually

11 is going to work for it.

12 Q So at the time that -- let me back up. So

13 that phone call, do you know who he was talking to?

14 A No clue, ma'am. There are so many people that

15 actually go back and forth who are on the phone.

16 There are different employees every time. It's not

17 only the one guy that actually answers the phone. It

18 just -- it just gets in a circle every time, somebody

19 else working. If there is, then it just rotates,

20 pretty much.

21 I'm not quite sure who did they talk to,

22 unless they have the name, then I can tell.

23 Q Who owns that phone number?

24 A It's a company number, ma'am, so whoever

25 working that time, that period of time, they answered

0066

 1 the phones.

 2 Q So this is your company?

 3 A That's my company, yes.

 4 The phones are connected, so if somebody -- a

 5 person don't answer it goes to the different -- the

 6 second one, the third one. This is how it works.

 7 Q So there's another company that --

 8 A A few other companies, yeah, I work with.

 9 Q What is the name that --

10 A There are A&A Limos, there are Blessed Limo.

11 There are a few others that work together.

12 Q What are the two cars that you operate?

13 A What are -- the car I'm operating? It's a

14 limousine carrier. It's the Hummer and the Chrysler

15 300, but I don't do anymore, I shut down the whole

16 operation.

17 This is a cancellation that I actually did for

18 my -- when I had it, though, you know, two limousines.

19 But this is a cancellation I did with my insurance.

20 Also, it says that actually I don't operate my license

21 all day. You know, limousine carriers, everything is

22 put on hold, just because I cancelled everything. I

23 don't operate it no more.

24 Or if you want to take a look you can take a

25 look.

0067

 1 Q No, thanks.

 2 A Yeah.

 3 Q You are just saying that you closed your

 4 limousine business?

 5 A Yes.

 6 JUDGE CHARTOFF: Okay. I don't have any

 7 further questions.

 8 Do you have anything further?

 9 MR. DALLAS: Just a closing statement.

10 JUDGE CHARTOFF: So I will allow him to

11 make a closing statement, and then you can make a

12 closing statement if you choose.

13 MR. SINGH: Sure. What is -- a closing

14 statement is? Sorry.

15 JUDGE CHARTOFF: A closing statement is

16 where you just explain the evidence you laid out --

17 MR. SINGH: Oh, okay.

18 JUDGE CHARTOFF: -- and how you think I

19 should rule.

20 MR. SINGH: Oh, okay. All right.

21 JUDGE CHARTOFF: Okay.

22 MR. SINGH: Thank you.

23 JUDGE CHARTOFF: Go ahead.

24 MR. DALLAS: Thank you, Judge.

25 Staff has submitted sufficient evidence into

0068

 1 the record to establish two separate violations of

 2 RCW 81.70.260, and that the company was not operating

 3 as a limousine carrier.

 4 In summary, you have heard from Staff that

 5 Seattle 7 Days Limo advertised transportation services

 6 for multiple vehicles that had a seating capacity of

 7 over 14 people. This advertisement was on the website

 8 that the company put in its application to become a

 9 charter party carrier as its official business

10 website. Although Mr. Singh claims that he lost

11 control of the website, Staff's position is still the

12 same; however, this is something you may want to

13 consider in rendering your order.

14 The 2016 order stated that Mr. Singh had to

15 stop all operations. He failed to cease all

16 operations by continuing to make advertisements and

17 offers. And just to remind you, the term conducting

18 operations includes advertising and making offers.

19 You have also heard that the company offered

20 to provide transportation services to a group of 22 to

21 29 people for a bachelor party in Seattle for vehicles

22 that have a seating capacity of over 14 people.

23 Mr. Hoxit called the phone number that the company

24 submitted to the Commission in its application to

25 become a charter party carrier, as its official

0069

 1 business phone number, and this was the phone number

 2 that was also on the advertisement.

 3 Both the advertisement and the offer are two

 4 separate violations of RCW 81.70.260 because the

 5 company did not have a certificate to conduct

 6 operations as a charter party carrier at the time the

 7 advertisement was observed and the offer was made.

 8 This is because the company's certificate was

 9 previously revoked on December 23rd, 2016, due to

10 insufficient proof of insurance.

11 Accordingly, Staff recommends the Commission

12 issue an order for penalties of $5,000 per violation.

13 Thank you.

14 JUDGE CHARTOFF: Thank you.

15 Okay. If you --

16 MR. SINGH: All right. Ma'am, I've got

17 something to say now.

18 JUDGE CHARTOFF: Okay.

19 MR. SINGH: When they say they -- they

20 called in for 30 people, or 28 people, you know, the

21 Hummer, it -- it really depends on us how we're going

22 to provide it. It didn't indicate there's going to be

23 only one vehicle they were going to provide. So he --

24 if -- if we are the limousine services, each carries a

25 14-passenger, right? The 14-passenger, then we can

0070

 1 actually do two limousines. They never asked or never

 2 determined anything, like, oh, we wanted one vehicle

 3 or we wanted two. It really depends on us how we're

 4 going to accommodate the party.

 5 And then the thing about the website, I've

 6 already, you know, proven to you guys that I -- you

 7 know, I tried to get into contact to close that down,

 8 but they never did. And then there's a reason too,

 9 actually. They stated that I -- you know, that we're

10 not -- so after that I had turned everything, all the

11 business I'm getting from other people. I'm not even

12 operating my own business, my own website and stuff.

13 I'm just going to get charged, you know, get a

14 penalty for it, which I don't -- have no control over

15 the website and the advertisement. You know, there is

16 a different kind of advertisement, doing a website or

17 doing a Google Adwords. I mean, if they find me doing

18 a Google Adwords, you know, that's a different story,

19 then you can tell me, like, hey, that's your fault,

20 you know, you did it. But when the website -- I mean,

21 I'm not a tech guy, I don't know how these things

22 work, domains or websites. You know, I'm explaining

23 the way I just got explained.

24 And then with the capacity, I mean, there --

25 like I said, you know, we work all -- three or four

0071

 1 companies together. So, if anything, you know,

 2 they -- they are the one who actually provide the

 3 services, but as far as that...

 4 These are the only things I have to say. If I

 5 have anything else I will just let you know too.

 6 JUDGE CHARTOFF: Okay. Thank you.

 7 MR. SINGH: Thank you.

 8 JUDGE CHARTOFF: Is there anything else?

 9 MR. DALLAS: Can I have a rebuttal?

10 JUDGE CHARTOFF: Sure.

11 MR. DALLAS: Judge Chartoff, I would

12 like to just point in the record, in Exhibit JH-2, the

13 vehicles they submitted in their application of any

14 charter carrier includes a Hummer that can seat 22,

15 and another Hummer that can seat 30. And I would also

16 like to point you to Attachment F of JH-1, where

17 Mr. Hoxit specifically states that he was offered a

18 stretch Hummer that seats 28 to 30, a party bus that

19 seats 28 to 30 as well.

20 JUDGE CHARTOFF: Okay.

21 MR. DALLAS: And that's all. Thank you.

22 JUDGE CHARTOFF: Okay.

23 Thank you for participating. I will issue a

24 decision within ten days.

25 MR. SINGH: Within ten days. Okay.

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 1 JUDGE CHARTOFF: We are off the record.

 2 (Proceedings concluded 1:42 p.m.)

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 1 C E R T I F I C A T E

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 3 STATE OF WASHINGTON

 4 COUNTY OF KING

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 6 I, Sherrilyn Smith, a Certified

 7 Shorthand Reporter in and for the State of Washington,

 8 do hereby certify that the foregoing transcript is

 9 true and accurate to the best of my knowledge, skill

10 and ability.

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17 SHERRILYN SMITH, CCR# 2097

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