

Docket No. TE-180401 - Vol. II

In the Matter of: Seattle 7 Days Limo

January 3, 2019



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BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining)
the Proper Carrier)
Classification of, and)
Complaint for Penalties) Docket NO. TE-180401
against:)
)
SEATTLE 7 DAYS LIMO)
)

BRIEF ADJUDICATIVE PROCEEDING, VOLUME II
Pages 40 - 73
ADMINISTRATIVE LAW JUDGE LAURA CHARTOFF

1:03 P.M.

JANUARY 3, 2019

Washington Utilities and Transportation Commission
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1 A P P E A R A N C E S

2 ADMINISTRATIVE LAW JUDGE:

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23 ALSO PRESENT:

24 AMANDEEP SINGH

25 -o0o-

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24
25

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1 OLYMPIA, WASHINGTON; JANUARY 3, 2019

2 1:03 P.M.

3 -oOo-

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

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.

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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

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

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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?

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.

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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.)

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

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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

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

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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

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,

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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

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.

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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.

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

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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.

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.

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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.)

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.

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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

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

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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

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.

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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

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

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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

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

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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.

1 JUDGE CHARTOFF: We are off the record.
2 (Proceedings concluded 1:42 p.m.)
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C E R T I F I C A T E

STATE OF WASHINGTON
COUNTY OF KING

I, Sherrilyn Smith, a Certified
Shorthand Reporter in and for the State of Washington,
do hereby certify that the foregoing transcript is
true and accurate to the best of my knowledge, skill
and ability.

Sherrilyn Smith

SHERRILYN SMITH, CCR# 2097

