

**Docket Nos. TV-190023 and TV-170746 (Consolidated) -
Vol. I**

**The Matter of BM Logistics d/b/a Bogdan Movers &
Bogdan Momotyuk/Bogdan Delivery**

March 27, 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 against:)DOCKETS NOS. TV-190023 and TV-170746 (Consolidated)

BM LOGISTICS LLC d/b/a BOGDAN MOVERS)

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

BOGDAN MOMOTYUK d/b/a BOGDAN DELIVERY, L.L.C.)

BRIEF ADJUDICATIVE PROCEEDING, VOLUME I

Pages 1-6

ADMINISTRATIVE LAW JUDGE LAURA CHARTOFF

March 27, 2019 9:38 a.m.

Washington Utilities and Transportation Commission 1300 South Evergreen Park Drive Southwest Olympia, Washington 98504

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1 OLYMPIA, WASHINGTON; MARCH 27, 2019
2 9:30 A.M.
3 --o0o--
4 PROCEEDINGS

6 JUDGE CHARTOFF: Let's be on the record.
7 Good morning. Today is Wednesday, March 27th, 2019.
8 The time is 9:38. We are here on consolidated Dockets
9 TV-190023, which is captioned, In the Matter of
10 Determining the Proper Carrier Classification of and
11 Complaint for Penalties Against BM Logistics, doing
12 business as Bogdan Movers, and TV-170746, which is
13 captioned, In the Matter of Determining the Proper
14 Carrier Classification of and Complaint for Penalties
15 Against Bogdan Momotyuk, doing business as Bogdan
16 Delivery, LLC.

17 My name is Laura Chartoff. I am the
18 administrative law judge presiding over today's brief
19 adjudicative proceeding.

20 Let's start by taking short appearances from
21 the parties starting with Staff.

22 MR. FUKANO: Good morning. Harry Fukano,
23 Assistant Attorney General with the Utilities and
24 Transportation Commission, here on behalf of Commission
25 Staff.

1 APPEARANCES

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1 JUDGE CHARTOFF: Thank you.
2 MR. WALSH: Sean Walsh, representing BM
3 Logistics LLC and Bogdan Delivery, LLC.

4 JUDGE CHARTOFF: Thank you.

5 Okay. So any matters we need to discuss?

6 MR. FUKANO: Staff and the Company have
7 reached a settlement in principle, and so we would ask
8 that this hearing be continued and the procedural
9 schedule be suspended until April 17th where the parties
10 should have an agreed settlement filed with this -- with
11 this Commission.

12 JUDGE CHARTOFF: That date was April?

13 MR. FUKANO: 17th, and I believe that's
14 three weeks from today.

15 JUDGE CHARTOFF: Mr. Walsh, is that your
16 understanding?

17 MR. WALSH: That is, Your Honor.

18 JUDGE CHARTOFF: So and then on April 17th,
19 you will either submit an agreed settlement or provide a
20 status report?

21 MR. FUKANO: That's correct.

22 JUDGE CHARTOFF: Okay. Okay. Your motion
23 for a continuance is granted. Is there anything
24 further?

25 MR. FUKANO: None from Staff.

1 MR. WALSH: No, Your Honor.
2 JUDGE CHARTOFF: Okay. Thank you. We are
3 off the record.
4 (Adjourned at 9:41 a.m.)
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1 CERTIFICATE
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3 STATE OF WASHINGTON
4 COUNTY OF THURSTON
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6 I, Tayler Garlinghouse, a Certified Shorthand
7 Reporter in and for the State of Washington, do hereby
8 certify that the foregoing transcript is true and
9 accurate to the best of my knowledge, skill and ability.
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13 Tayler Garlinghouse, CCR 3358
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<p style="text-align: center;">A</p> <p>a.m 1:18 3:2 5:4 ability 6:9 accurate 6:9 Adjourned 5:4 adjudicative 1:13 3:19 administrative 1:15 2:2 3:18 agreed 4:10,19 appearances 3:20 April 4:9,12,18 Assistant 2:9 3:23 Attorney 2:9 3:23 Avenue 1:22</p> <hr/> <p style="text-align: center;">B</p> <p>behalf 3:24 believe 4:13 best 6:9 BM 1:6 2:12 3:11 4:2 Bogdan 1:6,11,11 3:12,15,15 4:3 Box 2:9 brief 1:13 3:18 Buell 1:22 business 3:12,15</p> <hr/> <p style="text-align: center;">C</p> <p>C 2:1 3:4 6:1,1 captioned 3:9,13 Carpenter 2:14 Carrier 1:4,9 3:10 3:14 CCR 1:21 6:13 Certified 6:6 certify 6:8 Chartoff 1:15 2:3 3:6,17 4:1,4,12,15 4:18,22 5:2 Classification 1:4,9 3:10,14 Commission 1:2,19 2:4,7 3:24,24 4:11 Company 4:6</p>	<p>Complaint 1:5,9 3:11,14 consolidated 1:5 3:8 continuance 4:23 continued 4:8 correct 4:21 COUNTY 6:4</p> <hr/> <p style="text-align: center;">D</p> <p>D 3:4 d/b/a 1:6,11 date 4:12 Delivery 1:11 3:16 4:3 Determining 1:4,8 3:10,13 discuss 4:5 Dockets 1:4 3:8 doing 3:11,15 Drive 1:19 2:4</p> <hr/> <p style="text-align: center;">E</p> <p>E 2:1,1 3:4,4 6:1,1 either 4:19 Evergreen 1:19 2:4</p> <hr/> <p style="text-align: center;">F</p> <p>F 6:1 filed 4:10 foregoing 6:8 Fourth 1:22 Fukano 2:8 3:22,22 4:6,13,21,25 further 4:24</p> <hr/> <p style="text-align: center;">G</p> <p>G 3:4 Garlinghouse 1:21 6:6,13 General 2:9 3:23 Good 3:7,22 granted 4:23</p> <hr/> <p style="text-align: center;">H</p> <p>Harry 2:8 3:22</p>	<p>harry.fukano@u... 2:11 hearing 4:8 Honor 4:17 5:1</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p style="text-align: center;">J</p> <p>judge 1:15 2:2 3:6 3:18 4:1,4,12,15 4:18,22 5:2</p> <hr/> <p style="text-align: center;">K</p> <p>knowledge 6:9</p> <hr/> <p style="text-align: center;">L</p> <p>L.L.C 1:11 Lacey 2:15 Laura 1:15 2:3 3:17 laura.chartoff@... 2:6 law 1:15 2:2,14 3:18 Let's 3:6,20 LLC 1:6,22 2:12 3:16 4:3,3 Logistics 1:6 2:12 3:11 4:3</p> <hr/> <p style="text-align: center;">M</p> <p>March 1:17 3:1,7 Matter 1:4,8 3:9,13 matters 4:5 Momotyuk 1:11 3:15 morning 3:7,22 motion 4:22 Movers 1:7 3:12</p> <hr/> <p style="text-align: center;">N</p> <p>N 2:1 3:4 name 3:17 National 1:24 need 4:5 Northeast 2:14 NOS 1:4</p>	<p style="text-align: center;">O</p> <p>O 3:4 o0o-- 3:3 Okay 4:5,22,22 5:2 Olympia 1:20,24 2:5,10 3:1 Owada 2:14</p> <hr/> <p style="text-align: center;">P</p> <p>P 2:1,1 3:4 Pages 1:14 Park 1:19 2:4 parties 3:21 4:9 PC 2:14 Penalties 1:5,9 3:11 3:14 PO 2:9 presiding 3:18 principle 4:7 procedural 4:8 proceeding 1:13 3:19 Proper 1:4,9 3:10 3:13 provide 4:19</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p style="text-align: center;">R</p> <p>R 2:1 3:4 6:1 reached 4:7 Realtime 1:22 record 3:6 5:3 report 4:20 REPORTED 1:21 Reporter 6:7 Reporting 1:22 representing 4:2 Road 2:14</p> <hr/> <p style="text-align: center;">S</p> <p>S 2:1 3:4 schedule 4:9 Sean 2:13 4:2 sean.walsh@owa... 2:16</p>	<p>Seattle 1:23,23 settlement 4:7,10 4:19 short 3:20 Shorthand 6:6 skill 6:9 South 1:19 2:4 Southwest 1:19 Staff 2:7 3:21,25 4:6,25 start 3:20 starting 3:21 State 6:3,7 status 4:20 submit 4:19 Suite 1:22 2:15 suspended 4:9 SW 2:4</p> <hr/> <p style="text-align: center;">T</p> <p>T 6:1,1 Taylor 1:21 6:6,13 Thank 4:1,4 5:2 three 4:14 THURSTON 6:4 time 3:8 today 3:7 4:14 today's 3:18 transcript 6:8 Transportation 1:2 1:19 2:3 3:24 true 6:8 TV-170746 1:4 3:12 TV-190023 1:4 3:9</p> <hr/> <p style="text-align: center;">U</p> <p>understanding 4:16 Utilities 1:2,19 2:3 3:23</p> <hr/> <p style="text-align: center;">V</p> <p>VOLUME 1:13</p> <hr/> <p style="text-align: center;">W</p>
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