

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the
Proposer Carrier Classification of, and
Complaint for Penalties Against,

CHRIS ROBERT MILLER, D/B/A
SILVER LIMOUSINE AND SILVER
TRANSPORTATION

DOCKET TE-180455

ORDER 03

GRANTING PAYMENT
ARRANGEMENT

BACKGROUND

- 1 On November 7, 2019, the Commission entered Order 01, Order Instituting Special Proceeding; Complaint Seeking to Impose Penalties; and Notice of Mandatory Appearance at Hearing (Order 01), initiating this docket on its own motion. The Complaint alleged that Chris Robert Miller, d/b/a Silver Limousine and Silver Transportation, (Silver Limousine or Company) violated RCW 81.70.220(1) on two occasions by advertising and offering to provide charter party and excursion services within the state of Washington without first obtaining from the Commission the certificate required for such operations. On the same date, the Commission issued a Subpoena and Subpoena Duces Tecum for Production of Documents commanding the Company to appear before the Commission at a special proceeding scheduled to convene at 9 a.m. on December 10, 2019, and to bring the documents specified in the subpoenas.
- 2 On December 2, 2019, the Company, through its counsel, contacted the presiding officer to request a continuance of the special proceeding. On December 5, 2019, the Commission issued a Notice Rescheduling Special Proceeding for March 3, 2020.
- 3 On February 28, 2020, Staff filed with the Commission a letter explaining that the parties had reached a settlement in principle, and requesting the Commission cancel the special proceeding. That same day, the Commission issued a notice cancelling the hearing and requiring the filing of settlement documents, and on April 23, 2020, Staff filed a settlement agreement on behalf of the parties.
- 4 On April 24, 2020, the Commission entered Order 02, Approving Settlement; Classifying Respondent as a Charter and Excursion Carrier; Imposing Penalties (Order 02). Order 02 imposed a \$10,000 penalty, and required the Company to file jointly with Staff a

mutually agreeable payment arrangement within 30 days of the effective date of Order 02.

5 On May 29, 2020, Commission staff (Staff) contacted the Executive Director and Secretary of the Commission explaining that the Company requested to pay the penalty in 40 monthly installments, beginning on November 18, 2020, and that Staff supports the request. In its letter, Staff states that the delayed initial payment and extended schedule is intended to account for the economic instability resulting from the COVID-19 pandemic.

6 Staff also proposes that if Silver Limousine is unable to pay the first installment due to the ongoing COVID-19 situation, the Company must file an extension request prior to the due date.

DISCUSSION

7 The installment payment schedule Staff and the Company propose is reasonable. The Commission approves the proposal with two modifications. Silver Limousine may make additional payments in advance of the payment due dates or pay an increased amount on the first due date, but no additional payment or increased amount will relieve the Company of its obligation to make its timely monthly installment until the full amount of \$10,000 is satisfied. Further, since installment 28 of the proposed payment arrangement plan falls on a holiday, the Commission revises the payment schedule as follows:

Installment	Due Date	Amount	Installment	Due Date	Amount
1	November 18, 2020	\$250	21	July 18, 2022	\$250
2	December 18, 2020	\$250	22	August 18, 2022	\$250
3	January 19, 2021	\$250	23	September 19, 2022	\$250
4	February 18, 2021	\$250	24	October 18, 2022	\$250
5	March 18, 2021	\$250	25	November 18, 2022	\$250
6	April 19, 2021	\$250	26	December 19, 2022	\$250
7	May 18, 2021	\$250	27	January 18, 2023	\$250
8	June 18, 2021	\$250	28	February 21, 2023	\$250
9	July 19, 2021	\$250	29	March 20, 2023	\$250
10	August 18, 2021	\$250	30	April 18, 2023	\$250
11	September 20, 2021	\$250	31	May 18, 2023	\$250
12	October 18, 2021	\$250	32	June 19, 2023	\$250
13	November 18, 2021	\$250	33	July 18, 2023	\$250
14	December 20, 2021	\$250	34	August 18, 2023	\$250

15	January 18, 2022	\$250	35	September 18, 2023	\$250
16	February 18, 2022	\$250	36	October 18, 2023	\$250
17	March 18, 2022	\$250	37	November 20, 2023	\$250
18	April 18, 2022	\$250	38	December 18, 2023	\$250
19	May 18, 2022	\$250	39	January 18, 2024	\$250
20	June 20, 2022	\$250	40	February 19, 2024	\$250

ORDER

THE COMMISSION ORDERS THAT:

- 8 (1) The \$10,000 penalty is due and payable to the Commission in installments as set out in paragraph 7, above.
- 9 (2) If Chris Robert Miller, d/b/a Silver Limousine and Silver Transportation, fails to pay any installment by 5 p.m. on the date it is due without having filed an extension request, the entire unpaid balance will immediately become due and payable without further order by the Commission.
- 10 The Secretary has been delegated authority to enter this order on behalf of the Commissioners under WAC 480-07-904(1)(h).

DATED at Lacey, Washington, and effective June 9, 2020.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



MARK L. JOHNSON
Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.