Service Date: April 7, 2020

# BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,

Complainant,

v.

BLESSED LIMOUSINE, INC.,

Respondent.

DOCKETS TE-200016 and TE-200272 (Consolidated)

ORDER 02/01

CONSOLIDATION ORDER; AND

NOTICE OF BRIEF ADJUDICATIVE PROCEEDING; SETTING TIME FOR ORAL STATEMENTS

(Set for May 1, 2020, at 9:30 a.m.)

#### **BACKGROUND**

- On February 7, 2020, the Washington Utilities and Transportation Commission (Commission) issued a Notice of Intent to Cancel Certificate; Notice of Opportunity for Hearing (Notice) in Docket TE-200016. The Notice informed Blessed Limousine, Inc., (Blessed Limo or Company) that the Commission intended to cancel the Company's certificate for continued failure to comply with Commission rules pertaining to charter and excursion carriers. The Notice gave Blessed Limo the opportunity to request a hearing to contest the factual allegations set out in the Notice.
- On February 26, 2020, Blessed Limo filed with the Commission a request for hearing, and on March 5, 2020, the Commission issued a Notice of Brief Adjudicative Proceeding, which set the hearing for April 7, 2020.
- On March 30, 2020, the Commission issued a letter (Cancelation Letter) in Docket TE-200272 notifying Blessed Limo that the Commission had canceled the Company's charter and excursion certificate due to insufficient proof of insurance. The Cancelation Letter gave Blessed Limo the opportunity to request a hearing to contest the allegation that it failed to submit sufficient proof of insurance.
- On March 31, 2020, Commission staff (Staff) contacted the presiding officer in TE-200016 to request that the hearing in that docket be canceled because the Company's certificate had already been canceled in Docket TE-200272.

- On April 1, 2020, the Commission issued a Notice Canceling Brief Adjudicative Proceeding and Suspending Procedural Schedule in Docket TE-200016, which canceled the brief adjudicative proceeding set for April 7, 2020. The Notice further informed the parties that the Commission would consolidate Docket TE-200016 with Docket TE-200272 if the Company requested a hearing to contest the Commission's cancelation of its certificate due to insufficient proof of insurance.
- On April 6, 2020, the Company requested a hearing to contest the Commission's cancelation in Docket TE-200272. Blessed Limo further stated that Staff and the Company agreed to a hearing date of May 1, 2020.

#### **DISCUSSION**

WAC 480-07-320 provides that the Commission may act on its own motion to consolidate two or more proceedings in which the facts or principles of law are related. Because the issues raised in both dockets address the status of the Company's certificate and Staff's bases for requesting cancelation thereof, the Commission finds good cause to consolidate the dockets and hear the matters concurrently.

#### ORDER OF CONSOLIDATION

8 **THE COMMISSION ORDERS THAT** Dockets TE-200016 and TE-200272 are consolidated.

#### NOTICE OF BRIEF ADJUDICATIVE PROCEEDING

- 9 Pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission determines that a brief adjudicative proceeding is appropriate for determining whether Blessed Limo's certificate should be canceled or reinstated.
  - THE COMMISSION GIVES NOTICE That it will hold a virtual brief adjudicative proceeding in these matters at 9:30 a.m. on Friday, May 1, 2020. To attend the hearing telephonically, you may call (360) 407-3810 and enter conference ID: 7862695. To attend via the Skype for Business online application, you may use the following link: <a href="https://lync.wa.gov/utc.wa.gov/meet/aldcalendar/4N773MBJ">https://lync.wa.gov/utc.wa.gov/meet/aldcalendar/4N773MBJ</a>.
- The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.

- Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide via its website, www.utc.wa.gov, copies of documents in the current record for use by the parties or others who may want to review them.
- Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission all such documents, as well as a list enumerating such documents, no later than **5 p.m. on Friday, April 24, 2020**. Filing shall be in accordance with WAC 480-07-140.
- THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.
- The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and

**Transportation Commission** 

P.O. Box 47250

Olympia, WA 98504-7250

Representative: Harry Fukano

**Assistant Attorney General** 

P.O. Box 40128

Olympia, WA 98504-0128

(360) 664-1225

harry.fukano@utc.wa.gov

Respondent: Blessed Limousine, Inc.

3932 62nd Ave. Ct. E.

Fife, WA 98424 (206) 579-5911

info@blessedlimo.net

Representative: Mark Kimball

James Ware

777 108th Ave. NE Ste. 2000

Bellevue, WA 98004

(425) 455-9610

mkimball@mdklaw.com iware@mdklaw.com Administrative Law Judge Michael Howard, from the Commission's Administrative Law Division, will preside during this proceeding.<sup>1</sup>

DATED at Lacey, Washington, and effective April 7, 2020.

### WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON

**Executive Director and Secretary** 

Inquiries may be addressed to:

Executive Director and Secretary Washington Utilities and Transportation Commission P.O. Box 47250 Olympia, WA 98504-7250 (360) 664-1160

<sup>&</sup>lt;sup>1</sup> Judge Howard can be reached by email at <u>michael.howard@utc.wa.gov</u> or by phone at (360) 664-1139.

## **NOTICE**

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out and return this form to:

Washington Utilities and Transportation Commission

Attention: Mark L. Johnson

P.O. Box 47250

Olympia, WA 98504-7250

## (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket:	
Case Name:	
Hearing Date:	Hearing Location:
Primary Language:	
Hearing Impaired: (Yes)	(No)
Do you need a certified sign language interpreter:	
Visual	Tactile
Other type of assistance needed:	
English-speaking person who can be contacted if there are questions:	
Name:	
Address:	
Phone ()	