

**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 04

REINSTATING 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 penalty and required the Company to file jointly with Staff a mutually

agreeable payment arrangement. On May 29, 2020, Staff filed with the Commission an agreed payment schedule.

5 On June 9, 2020, the Commission entered Order 03, Granting Payment Arrangement (Order 03). Order 03 approved a payment arrangement of 40 monthly installments of \$250 beginning on November 18, 2020. Order 03 stated that the delayed initial payment and extended schedule was intended to account for the economic instability resulting from the COVID-19 pandemic. Order 03 also allowed Silver Limousine to file a request for extension of the payment arrangement prior to the due date of any payment if it was unable to meet the payments due to the ongoing effects of the pandemic.

6 On January 5, 2021, Commission staff (Staff) filed a letter in this docket informing the Commission that Silver Limousine had failed to make the first two payments and had not filed a request for extension.

7 On January 11, 2021, the Commission issued a letter canceling the payment arrangement.

8 On January 14, 2021, Silver Limousine submitted a request for reconsideration, stating that it believed that it had successfully submitted a request for extension, and that the failure was due to a miscommunication with Staff. The Company requested that the Commission reinstate and extend the payment arrangement.

9 On January 20, 2021, Commission staff responded to the Company's request, stating that while it did not believe there was any miscommunication, it nevertheless recommends that the Commission reinstate the payment arrangement. Staff recommends the first payment should become due on July 19, 2021.

DISCUSSION

10 The reinstatement and extension of the payment arrangement is a reasonable request in light of the economic hardships faced by the Company due to the COVID-19 pandemic and associated travel restrictions. The Commission approves the request and revises and reinstates the payment arrangement under the same terms as Order 02. 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. Should the Company find itself unable to begin payments by the July 19, 2021, initial installment due date, it must work with Staff to file a request for extension no later than July 12, 2021. The payment plan is revised and reinstated as follows:

Installment	Due Date	Amount	Installment	Due Date	Amount
1	July 19, 2021	\$250	21	March 20, 2023	\$250
2	August 18, 2021	\$250	22	April 18, 2023	\$250
3	September 20, 2021	\$250	23	May 18, 2023	\$250
4	October 18, 2021	\$250	24	June 19, 2023	\$250
5	November 18, 2021	\$250	25	July 18, 2023	\$250
6	December 20, 2021	\$250	26	August 18, 2023	\$250
7	January 18, 2022	\$250	27	September 18, 2023	\$250
8	February 18, 2022	\$250	28	October 18, 2023	\$250
9	March 18, 2022	\$250	29	November 20, 2023	\$250
10	April 18, 2022	\$250	30	December 18, 2023	\$250
11	May 18, 2022	\$250	31	January 18, 2024	\$250
12	June 20, 2022	\$250	32	February 19, 2024	\$250
13	July 18, 2022	\$250	33	March 18, 2024	\$250
14	August 18, 2022	\$250	34	April 18, 2024	\$250
15	September 19, 2022	\$250	35	May 20, 2024	\$250
16	October 18, 2022	\$250	36	June 18, 2024	\$250
17	November 18, 2022	\$250	37	July 18, 2024	\$250
18	December 19, 2022	\$250	38	August 19, 2024	\$250
19	January 18, 2023	\$250	39	September 18, 2024	\$250
20	February 21, 2023	\$250	40	October 18, 2024	\$250

ORDER

THE COMMISSION ORDERS THAT:

- 11 (1) The \$10,000 penalty is due and payable to the Commission in installments as set out in paragraph 10, above.
- 12 (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 in advance, the entire unpaid balance will immediately become due and payable without further order by the Commission.

- 13 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 January 28, 2021.

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.