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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:*

BLESSED LIMOUSINE, INC.

No: TE-151667

MOTION TO VACATE AND MOTION TO
REINSTATE ORDER 04

COMES NOW Blessed Limousine, Inc. (the "Company"), by and through its attorney of record, David Ruzumna, of the Law Office of David Ruzumna, PLLC, and files this Motion to Vacate the March 15, 2016 Directive for Blessed Limousine to pay a full \$10,000.00 penalty immediately.

BACKGROUND FACTS

On December 7, 2015, the Washington UTC entered Order 02 imposing and suspending penalties on condition of future compliance. On January 26, 2016, a final order was imposed (Order 03), imposing a fine of \$10,000.00 against Blessed Limousine, Inc. for four violation of RCW 81.70.220. The UTC suspended \$6,000 of that penalty for a period of two years subject to several conditions, including the requirement that Blessed Limousine pay the \$4,000 penalty amount that had not been suspended.

Shortly thereafter, Blessed Limousine, through counsel, sought and received leave to satisfy the \$4,000.00 unsuspended portion of the penalty via payment plans of via 20 installments of \$200.00 per month. The Order granting leave to make payments was embodied in Order 04, dated February 3, 2016. On March 11, 2016, counsel for Blessed Limousine received a copy of a letter from AAG Andrew J. O'Connell to Rayne Pearson,

1
2 ALJ, indicating that Blessed Limousine had not made any payments pursuant to the Order allowing same. *See*
3 Exhibit A attached hereto. The March 11, 2016 letter was the undersigned counsel's first indication that
4 payments had not been made. On March 15, 2016, the undersigned counsel received a copy of Steven V.
5 King's letter indicating Blessed Limousine's failure to make payments, and revoking the payment plan, and
6 imposing the entire \$10,000.00 penalty. *See Exhibit B attached hereto.*

7
8 Upon contact with Blessed Limousine, counsel learned that there had been many expenses incurred by
9 Blessed Limousine in furtherance of complying with Commission regulations. For example, Blessed
10 Limousine purchased the required insurance, at a cost of nearly \$44,000.00. *See Exhibit C attached hereto.* The
11 insurance required a down payment of \$8,900.00. UTC inspection of Blessed Limousine's vehicles incurred an
12 additional \$790.00 expense. Blessed Limousine also incurred the \$275 registration fee for the vehicles.

13
14 Nevertheless, upon being notified (by counsel) of the UTC's actions revoking the payment plan and
15 imposing the entire penalty, Blessed Limousine made a payment of \$400.00 in person on March 15, 2016.
16 Thus, on the same date as Mr. King's letter (Exhibit B), Blessed Limousine made the missed payments.

17
18 **MOTION**

19
20 Blessed Limousine is ready, willing, and able to continue with its payments, and to that end respectfully
21 requests that the Order contained in Exhibit B be vacated, and that the opportunity for Blessed Limousine to
22 remain in compliance via a payment plan be reinstated (and the originally suspended \$6,000.00 be re-suspended
23 on the same terms as Order 04.

24
25 RESPECTFULLY SUBMITTED this 24th day of March, 2016.

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David Ruzumna, WSBA #27094
Counsel for Blessed Limousine



SCANNED

3-11-16 (PT)

Bob Ferguson

ATTORNEY GENERAL OF WASHINGTON

Utilities and Transportation Division

1400 S Evergreen Park Drive SW • PO Box 40128 • Olympia WA 98504-0128 • (360) 664-1183

March 11, 2016

Rayne Pearson, Administrative Law Judge
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

RECEIVED
3-11-16
LAW OFFICE OF
DAVID RUZUMBA PLLC

RE: *In the Matter of Determining the Proper Carrier Classification of, and Complaint for Penalties against: Blessed Limousine, Inc.*
Docket TE-151667

Dear Judge Pearson:

On February 3, 2016, the Commission issued Order 04 in this docket, granting the Company's request for payment arrangement, subject to certain conditions.

In Order 04, the Commission ordered that the Company would be permitted to "pay the \$4,000 portion of the penalty that has not been suspended in 20 consecutive monthly installments of a minimum of \$200 per month, each of which is due and payable no later than the 5th day of each month beginning February 5, 2016."¹

It also ordered that

[i]f Blessed Limousine, Inc., fails to pay any installment by the due date, or fails to pay at least the minimum amount of \$200 by the due date, the entire remaining balance of payments and the entire suspended portion of the penalty [equal to \$6,000] will become immediately due and payable without further Commission order.²

Blessed Limousine, Inc. has failed to make any payment to the Commission towards its unsuspended \$4,000 penalty since the issuance of Order 04. By the date of this letter, the Company has missed two consecutive monthly payments: the first was due on February 05, 2016; and, the second was due on March 05, 2016.

¹ Docket TE-151667, Order 04, Order Granting Request For Payment Arrangement (February 3, 2016), ¶ 9.

² *Id.* at ¶ 11.

Exhibit A
Page 1 of 2

The Company has failed to meet the conditions on which the Commission permitted it to pay in installments. As a result, in accordance with Order 04, Staff believes it is appropriate to send the full penalty amount (both the suspended and unsuspended portions) of \$10,000 to the Commission's Financial Services for collection of the Company's nonpayment.

Tangentially, this circumstance arises concurrently with Staff's consideration of Blessed Limousine, Inc.'s application for authority to operate as a Charter Party and Excursion Carrier. Staff will not recommend approval of the Company's application while it has an unpaid, outstanding penalty amount.

Staff does not believe that any additional process is necessary as a result of the language in Order 04. It is Staff's understanding that the Commission will forward a notice of nonpayment to its Financial Services for collection of the Company's nonpayment.

Sincerely,



ANDREW J. O'CONNELL
Assistant Attorney General

AJO:emd
cc: Parties



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • www.utc.wa.gov

March 15, 2016

RE: *In the Matter of Determining the Proper Carrier Classification of, and Complaint for Penalties against, Blessed Limousine, Inc.*
Docket TE-151667

TO ALL PARTIES:

On December 7, 2015, the Washington Utilities and Transportation Commission (Commission) entered Order 02, Initial Order Classifying Respondent as a Charter Party or Excursion Carrier; Ordering Respondent to Cease and Desist; Imposing and Suspending Penalties on Condition of Future Compliance (Order 02). On January 26, 2016, the Commission entered Order 03, Final Order. Order 03 imposed a fine of \$10,000 against Blessed Limousine, Inc. (Blessed Limousine or Company) for four violations of RCW 81.70.220. The Commission suspended \$6,000 of the penalty for a period of two years subject to several conditions, including the requirement that Blessed Limousine pay the \$4,000 penalty amount that the Commission did not suspend.

On February 3, 2016, the Commission entered Order 04, Order Granting Request for Payment Arrangement. Order 04 requires the Company to pay the \$4,000 portion of the penalty that was not suspended in 20 monthly installments of a minimum of \$200 per month. Each payment is due and payable no later than the 5th day of each month beginning February 5, 2016. Order 04 also provides that if Blessed Limousine fails to pay any installment by the due date, the entire remaining balance of payments and the entire suspended portion of the penalty will become immediately due and payable without further Commission order.

Commission records indicate that Blessed Limousine has not made a payment to the Commission in this docket. Accordingly, Blessed Limousine has not complied with the conditions under which the Commission suspended \$6,000 of the \$10,000 penalty assessment and approved a payment plan for the Company for the remaining \$4,000. The Commission accordingly requires that Blessed Limousine pay immediately the full penalty amount of \$10,000 as required under the terms of Orders 03 and 04.

STEVEN V. KING
Executive Director and Secretary

Exhibit B
Page 1 of 1

STATEMENT OF ACCOUNT



AGENT NAME AND PRODUCER CODE
WESTERN EXPERTS IN TRANSPORTAT
72380000

PAYOR NAME
BLESSED LIMOUSINE

ACCOUNT NUMBER: M020980928 001 00001
ACCOUNT NAME: BLESSED LIMOUSINE
STATEMENT DATE: 3/16/2016
PAY PLAN: MONTHLY

ACCOUNT SUMMARY:

TOTAL ACCOUNT PREMIUM:	\$43,881.78	(Scroll down for more detail)
PREMIUM ADJUSTMENTS:	\$0.00	
TOTAL PAYMENTS RECEIVED:	\$8,600.00	(Scroll down for more detail)
FEES:	\$6.00	
ACCOUNT BALANCE:	\$35,287.78	
CURRENT DUE:	\$2,132.66	
NEXT INVOICE:	\$4,150.39	
NEXT INVOICE DATE:	2016-03-21	

The next bill is contingent on the current balance being paid.

This Statement of Account is not proof of insurance. Please contact our customer service department at 1-800-332-6641 to confirm that your policy(s) are in effect.

Insureds should make their payments to:

Zurich North America
Dept 2437
Carol Stream, IL 60132-2437

Exhibit C
Page 1 of 3

STATEMENT OF ACCOUNT



AGENT NAME AND PRODUCER CODE
WESTERN EXPERTS IN TRANSPORTAT
72380000

PAYOR NAME
BLESSED LIMOUSINE

ACCOUNT NUMBER: M020980928 001 00001
ACCOUNT NAME: BLESSED LIMOUSINE
STATEMENT DATE: 3/16/2016
PAY PLAN: MONTHLY

PAYMENT DETAIL

DATE PAYMENT RECEIVED	PAYMENT DESCRIPTION	PAYMENT AMOUNT
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02/22/2016

PAYMENT

8,600.00

TOTAL PAYMENTS:

88,600.00

Exhibit C

Page 2 of 3

STATEMENT OF ACCOUNT



AGENT NAME AND PRODUCER CODE
WESTERN EXPERTS IN TRANSPORTAT
72380000

PAYOR NAME
BLESSED LIMOUSINE

ACCOUNT NUMBER: M020980928 001 00001
ACCOUNT NAME: BLESSED LIMOUSINE
STATEMENT DATE: 3/16/2016
PAY PLAN: MONTHLY

PREMIUM DETAIL			
POLICY NUMBER	EFFECTIVE DATE	DESCRIPTION	AMOUNT
BAP 0001057222	02/10/2016	NEW BUSINESS	43,881.78
TOTAL POLICY PREMIUM:			<u>\$43,881.78</u>
TOTAL ACCOUNT PREMIUM:			<u>\$43,881.78</u>

Exhibit C
Page 3 of 3