

**DOCKET NUMBER T-37069 - W N W TRANSPORT LLC, EX PARTE. IN
RE: APPLICATION FOR A COMMON CARRIER CERTIFICATE OF
NON-HAZARDOUS OILFIELD WASTE, AND NON-HAZARDOUS
INDUSTRIAL SOLID WASTE FOR DISPOSAL, STATEWIDE.**

DATE OF HEARING: March 11, 2024

ADMINISTRATIVE LAW JUDGE JOY GUILLOT

WITNESSES:

PAGE NUMBER

Carlton Washington on behalf of W N W Transport LLC

Direct Examination by Tanika Starks

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4 **INDUSTRIAL SOLID WASTE FOR DISPOSAL, STATEWIDE.**

5 **ADMINISTRATIVE LAW JUDGE JOY GUILLOT:** Good morning. Today
6 is Monday, March 11, 2024. Today I'm convening a hearing in Docket Number
7 37069 - W N W Transport LLC, ex parte. In re: Application for a common carrier
8 certificate of non-hazardous oilfield waste and non-hazardous industrial solid waste
9 for disposal, statewide. Let's start with appearances, that means I want your name
10 and your business address.

11 **MR. CARLTON WASHINGTON:** My name is Carlton Washington. Business
12 address is 136 Major Lane, Grand Cane, Louisiana 71032.

13 **JUDGE GUILLOT:** Thank you. Staff.

14 **MS. TANIKA STARKS:** Tanika Starks on behalf of Staff.

15 **JUDGE GUILLOT:** Thank you. The parties have waived opening statements.
16 Staff will be conducting the presentation of direct this morning as Mr. Washington
17 is without counsel. Mr. Washington, I'm going to go ahead and swear you in so
18 please rise and raise your right hand.

19 **Carlton Washington came forth as a witness; and, after having been duly**
20 **sworn, testified as follows:**

21 **JUDGE GUILLOT:** Ms. Starks, you may begin.

22 **DIRECT EXAMINATION BY MS. TANIKA STARKS**

1 **MS. STARKS:** Thank you, Your Honor -- apologize. Good morning, Mr.
2 Washington. Can you state your name and address for the record again, please?
3 **MR. WASHINGTON:** My name is Carlton Washington. Address is 136 Major
4 Lane, Grand Cane, Louisiana 71032.
5 **MS. STARKS:** And by whom are you employed, Mr. Washington?
6 **MR. WASHINGTON:** I'm the owner of W N W Transport.
7 **MS. STARKS:** And how long have you been the owner of the company?
8 **MR. WASHINGTON:** Since 2015, May of 2015.
9 **MS. STARKS:** Is that the inception of the company as well?
10 **MR. WASHINGTON:** Yes, ma'am.
11 **MS. STARKS:** Okay. And can you give the court a brief description of, like, the
12 day-to-day operations at the company?
13 **MR. WASHINGTON:** Yes, ma'am. I have three -- I mean, two different names
14 --
15 **JUDGE GUILLOT:** One moment. Before you get started, just pull the mic down
16 just a little bit and remember to speak towards it.
17 **MR. WASHINGTON:** Okay. I'm sorry.
18 **JUDGE GUILLOT:** She's having trouble picking you up.
19 **MR. WASHINGTON:** Okay. We have dump trucks that we haul waste with. We
20 used to lease-to-own to companies. My last company that I'm leased on to is Coile
21 Oilfield Services. We also have six water trucks, vac trucks that we haul waste
22 with.

1 **MS. STARKS:** And are you the person that transport that types -- the waste or do
2 you delegate those tasks?

3 **MR. WASHINGTON:** I delegate those. I have hired drivers.

4 **MS. STARKS:** Okay.

5 **MR. WASHINGTON:** Also drive myself from time to time.

6 **MS. STARKS:** And what's your, I guess, experience in the waste hauling
7 industry?

8 **MR. WASHINGTON:** We started hauling waste with Fairway Transport back in
9 2018, lease-to-own under them. We've since lease-to-own to several different
10 companies, FDF over in Shreveport [INAUDIBLE] Louisiana, Bigfoot Energies in
11 Carthage, Texas, and Coile Oilfield Services.

12 **MS. STARKS:** And when you say lease-own, can you explain to the court what
13 that means?

14 **MR. WASHINGTON:** These companies have their own permits, numbers, we
15 lease-to-own its owner-operators with them. Also, with Coile Oilfield Service, I'm
16 also the dispatch as well.

17 **MS. STARKS:** And had you had any waste hauling experience prior to creating
18 this business?

19 **MR. WASHINGTON:** Yes, ma'am, we've been in this 2018.

20 **MS. STARKS:** Before that?

21 **MR. WASHINGTON:** Oh, no, ma'am.

22 **MS. STARKS:** Okay. And what prompted you to try to get this certificate with
23 the Public Service Commission?

1 **MR. WASHINGTON:** I was doing all the work for Coile Oilfield Services
2 anyway and so I just decided to branch out on my own.

3 **MS. STARKS:** Okay. All right. Can you turn your attention to Exhibit 1 for me?
4 Can you tell the court what this document is?

5 **MR. WASHINGTON:** It's the application for waste hauling permits.

6 **MS. STARKS:** Okay. And is this the application for W N W Transport LLC?

7 **MR. WASHINGTON:** Yes, ma'am, it is.

8 **MS. STARKS:** Okay. And is the business address, authorized representative, is
9 all that correct on this document?

10 **MR. WASHINGTON:** Yes, ma'am.

11 **MS. STARKS:** Okay. And turn to the second page for me. Is it correct that Mr.
12 Carlton Washington, that you are the 100 percent owner?

13 **MR. WASHINGTON:** Yes, ma'am.

14 **MS. STARKS:** Okay. And is the company only requesting the certificate for the
15 non-hazardous oilfield waste and non-hazardous industrial solid waste?

16 **MR. WASHINGTON:** At this time, yes, ma'am. We do seek to get the saltwater
17 permits later.

18 **MS. STARKS:** Okay. And not the hazardous waste, correct?

19 **MR. WASHINGTON:** Right.

20 **MS. STARKS:** Okay. Is the company seeking to have statewide authority?

21 **MR. WASHINGTON:** Yes, ma'am.

22 **MS. STARKS:** Okay. And at the bottom of the, I think, the third page in the
23 terminals and service of process section, it lists the terminal at -- or proposes to

1 commence operations at 136 Major Lane, Grand Cane, Louisiana. Is that the
2 terminal that the company is going to use?

3 **MR. WASHINGTON:** Yes, ma'am, it is.

4 **MS. STARKS:** Will trucks be dispatched from that terminal?

5 **MR. WASHINGTON:** Yes.

6 **MS. STARKS:** What about any other terminals in the state?

7 **MR. WASHINGTON:** No, ma'am.

8 **MS. STARKS:** Okay. Does the company anticipate on, I guess, purchasing or
9 leasing any other terminals?

10 **MR. WASHINGTON:** No, ma'am.

11 **MS. STARKS:** Okay.

12 **MR. WASHINGTON:** We want to stay as small as we can.

13 **MS. STARKS:** Okay. And is that terminal owned or leased?

14 **MR. WASHINGTON:** Owned.

15 **MS. STARKS:** Okay. Are there any terminals outside of Louisiana?

16 **MR. WASHINGTON:** No, ma'am.

17 **MS. STARKS:** Okay.

18 **MR. WASHINGTON:** We do have Texas numbers, DOT numbers, but that's just
19 to run in Texas if we needed to.

20 **MS. STARKS:** Okay. You stated that y'all might operate in Texas?

21 **MR. WASHINGTON:** Yes, ma'am. We live right on the Texas-Louisiana line,
22 so sometimes our work will be in Texas.

23 **MS. STARKS:** Okay. Do y'all operate in any other states?

1 **MR. WASHINGTON:** No, ma'am.

2 **MS. STARKS:** Just Louisiana and Texas?

3 **MR. WASHINGTON:** Yes.

4 **MS. STARKS:** Okay. And is that your signature on the next page?

5 **MR. WASHINGTON:** Yes, ma'am, it is.

6 **MS. STARKS:** Okay. And on the -- right after the application ends, can you tell

7 the court what that document is?

8 **MR. WASHINGTON:** It's the Secretary of State.

9 **MS. STARKS:** Okay. And is this the Secretary of State documents for W N W

10 Transport LLC?

11 **MR. WASHINGTON:** Yes, ma'am, it is.

12 **MS. STARKS:** Okay. And does this document indicate that the company is in

13 good standing?

14 **MR. WASHINGTON:** Yes, ma'am.

15 **MS. STARKS:** Okay. And what about the next page after, is that a copy of the

16 articles of organization for W N W Transport LLC?

17 **MR. WASHINGTON:** Yes, ma'am, it is.

18 **MS. STARKS:** Okay. And does it indicate Mr. Carlton Washington as the

19 manager?

20 **MR. WASHINGTON:** Yes, ma'am, it does.

21 **MS. STARKS:** Okay. And there's a document right after the Secretary of State

22 documents, is that the company's operating structure?

23 **MR. WASHINGTON:** Yes, ma'am.

1 **MS. STARKS:** And can you go down the list for the court?

2 **MR. WASHINGTON:** Okay. We have April Washington for bookkeeping; have
3 Shyra for payroll; myself, Carlton Washington, for dispatcher; Eric also for
4 dispatcher; Kerry Hill for my attorney; and Ms. Rekeya for my CPA.

5 **MS. STARKS:** Okay. And are those -- I'm guessing that the attorney and CPA
6 are not employees of the company?

7 **MR. WASHINGTON:** No. No, ma'am.

8 **MS. STARKS:** Okay. So any of the names mentioned before that, are they direct
9 employees of the company?

10 **MR. WASHINGTON:** Yes, ma'am.

11 **MS. STARKS:** Okay. Are there any drivers that should be on this list or are the
12 drivers --

13 **MR. WASHINGTON:** Currently, we're not operating, so we don't have any
14 drivers employed right now.

15 **MS. STARKS:** Okay. All right. The next document, can you tell the court what
16 that is?

17 **MR. WASHINGTON:** It's the schedule A for W N W Transport, equipment list.

18 **MS. STARKS:** Okay. And is this equipment list current as of today?

19 **MR. WASHINGTON:** Yes, ma'am, it is.

20 **MS. STARKS:** Okay. And are any of these -- any of this equipment, is it owned
21 or leased?

22 **MR. WASHINGTON:** All of it is owned.

23 **MS. STARKS:** Owned? Okay.

1 **MR. WASHINGTON:** Yes, ma'am.

2 **MS. STARKS:** Are there any encumbrances like leases -- I mean, like any
3 mortgages on any of it?

4 **MR. WASHINGTON:** Yes, ma'am, I actually just used them to procure a loan
5 from the bank.

6 **MS. STARKS:** Is that a bank that the company has a long-standing relationship
7 with?

8 **MR. WASHINGTON:** Yes.

9 **MS. STARKS:** And what bank is that?

10 **MR. WASHINGTON:** Progressive National Bank.

11 **MS. STARKS:** And is the company or are you current on any loans or anything
12 at this time?

13 **MR. WASHINGTON:** Yes, ma'am.

14 **MS. STARKS:** And do you -- at this point, do you plan on utilizing owner-
15 operating leases?

16 **MR. WASHINGTON:** No, ma'am, we do not.

17 **MS. STARKS:** Okay. And in regards to the equipment on this list, is there a
18 maintenance schedule for the equipment?

19 **MR. WASHINGTON:** Yes, ma'am. We have Cornbread Welding that does the
20 maintenance on them and he checks them weekly.

21 **MS. STARKS:** Okay.

22 **MR. WASHINGTON:** We also have a policy in place where the drivers have to
23 do a pre-trip every day along with me doing a pre-trip on everything as well.

1 **MS. STARKS:** Okay. So when you do the pre-trip, post-trip maintenance, what
2 are y'all looking for when y'all do that?

3 **MR. WASHINGTON:** Any oil leaks, wear in tires, brake damage, exhaust leaks,
4 and lights.

5 **MS. STARKS:** Okay. What about any monthly or like, I guess, six-month, yearly
6 maintenance, any of that?

7 **MR. WASHINGTON:** Yes, ma'am. We do oil changes. Cornbread does a
8 computer diagnosis once a month.

9 **MS. STARKS:** Okay. And Cornbread is a third-party company, right?

10 **MR. WASHINGTON:** Yes, ma'am.

11 **MS. STARKS:** Okay. Is there any in-house maintenance done?

12 **MR. WASHINGTON:** No, ma'am.

13 **MS. STARKS:** Okay. And who keeps up -- how is that maintenance logged?

14 **MR. WASHINGTON:** I keep up with it. I have a database where we put
15 everything in.

16 **MS. STARKS:** And to the best of your knowledge, are the vehicles in good
17 working order?

18 **MR. WASHINGTON:** Yes, ma'am.

19 **MS. STARKS:** Do the trucks have GPS?

20 **MR. WASHINGTON:** The water trucks does, yes, ma'am.

21 **MS. STARKS:** Is that a vehicle that's going to be used to transport LPSC regulated
22 waste?

23 **MR. WASHINGTON:** Outside of the water trucks -- I'm sorry, the vac trucks?

1 **MS. STARKS:** Yeah.

2 **MR. WASHINGTON:** We have the dump trucks as well.

3 **MS. STARKS:** Are they going to be used to --

4 **MR. WASHINGTON:** Yes, ma'am.

5 **MS. STARKS:** Okay. Are there any cameras on the trucks?

6 **MR. WASHINGTON:** Yes, ma'am.

7 **MS. STARKS:** Are they inside, outside?

8 **MR. WASHINGTON:** Inside.

9 **MS. STARKS:** Okay. Are the trucks governed to a certain speed?

10 **MR. WASHINGTON:** Yes, ma'am.

11 **MS. STARKS:** And what's that?

12 **MR. WASHINGTON:** Sixty-nine miles per hour.

13 **MS. STARKS:** Sixty-nine?

14 **MR. WASHINGTON:** Yes, ma'am.

15 **MS. STARKS:** Okay. And we're going to go to that next document in that packet.

16 Can you tell the court what the document is?

17 **MR. WASHINGTON:** This would be the commercial insurance of Progressive.

18 **MS. STARKS:** Okay. Is this a declaration page for that?

19 **MR. WASHINGTON:** Yes, ma'am, it is. I'm sorry.

20 **MS. STARKS:** Okay. Does this outline the coverage, drivers, and the vehicles for

21 coverage?

22 **MR. WASHINGTON:** Yes, ma'am, it does.

1 **MS. STARKS:** Okay. Are these the vehicles that are going to be used to transport
2 the waste you're requesting today?

3 **MR. WASHINGTON:** Yes.

4 **MS. STARKS:** Okay. And the next document that says commercial auto
5 insurance quote, is that for W N W Transport as well?

6 **MR. WASHINGTON:** Yes, ma'am, it is.

7 **MS. STARKS:** Okay. And that next document after that, that's 360 Insurance,
8 can you tell the court what that is?

9 **MR. WASHINGTON:** This is my umbrella policy for W N W Transport.

10 **MS. STARKS:** Is that just a quote for it?

11 **MR. WASHINGTON:** No, ma'am, we actually took that out.

12 **MS. STARKS:** Okay. But is this document -- does it say quote?

13 **MR. WASHINGTON:** Yes, ma'am, it does.

14 **MS. STARKS:** Okay. And can you tell the court what that next set of documents
15 are -- those documents?

16 **MR. WASHINGTON:** This is the W N W standard safe operating practices for
17 the drivers and so it's pretty much a handbook for the drivers.

18 **MS. STARKS:** And what does it detail? Just give a -- you can just give a brief --

19 **MR. WASHINGTON:** PPE wearing, no cellphone usage while driving the
20 vehicle, pre-trip, post-trip, how to handle the accidents.

21 **MS. STARKS:** Okay. And is the employee driving policy, annual review of
22 driving record, alcohol and drug statements, all that, is that included in that as well?

23 **MR. WASHINGTON:** Yes, ma'am, it is.

1 **MS. STARKS:** Are those documents signed by employees and supposed to be
2 turned in?
3 **MR. WASHINGTON:** Yes.
4 **MS. STARKS:** And who keeps up with that?
5 **MR. WASHINGTON:** My wife does.
6 **MS. STARKS:** Okay. And who's your wife?
7 **MR. WASHINGTON:** April Washington. I'm sorry.
8 **MS. STARKS:** All right. And that last document, can you tell the court what that
9 is?
10 **MR. WASHINGTON:** This is the employee alcohol and drug statement.
11 **MS. STARKS:** The last document?
12 **MR. WASHINGTON:** Oh, no, ma'am. This is our authority for the DOT hauling
13 and MC numbers.
14 **MS. STARKS:** Okay. And that is for the company, W N W Transport LLC?
15 **MR. WASHINGTON:** Yes, ma'am, it is. I'm sorry.
16 **MS. STARKS:** Okay. And does that conclude your public version of the
17 application for your request this morning?
18 **MR. WASHINGTON:** Yes, ma'am
19 **MS. STARKS:** Okay. And do you wish to enter this document into the record?
20 **MR. WASHINGTON:** Yes.
21 **MS. STARKS:** Your Honor, at this time in conjunction with the testimony from
22 the applicant, Staff, with no objection, agrees to offer, file, introduce into evidence

1 what has been previously labeled as Applicant Exhibit 1, which is the public
2 application -- applicant's public waste by motor vehicle application.

3 **JUDGE GUILLOT:** Okay. I have in front of me what's been marked as
4 Applicant's Exhibit 1, which is the waste by motor vehicle application of W N W
5 Transport LLC, received by the Commission on December 12, 2023. Staff has
6 stated they do not object to this exhibit, so Applicant's Exhibit 1, the public version,
7 is admitted.

8 **MS. STARKS:** Thank you, Your Honor. And just for clarity, Mr. Washington,
9 all the employees, they work in Louisiana?

10 **MR. WASHINGTON:** Yes, ma'am.

11 **MS. STARKS:** Okay. And does the company anticipate on hiring -- I'm sure y'all
12 do, but just for the record -- additional employees if this certificate is granted?

13 **MR. WASHINGTON:** Yes, ma'am.

14 **MS. STARKS:** And will you be the company's contact for the Louisiana Public
15 Service Commission?

16 **MR. WASHINGTON:** Yes, ma'am.

17 **MS. STARKS:** To the best of your knowledge, were there any protests or
18 interventions against your application?

19 **MR. WASHINGTON:** No, ma'am.

20 **MS. STARKS:** And do you believe that it satisfies all the requirements to operate
21 the authority that may be granted under a certificate from the Louisiana Public
22 Service Commission?

23 **MR. WASHINGTON:** Yes, it does.

1 **MS. STARKS:** Going to go to Exhibit 2. Can you tell the court what that
2 document is?

3 **MR. WASHINGTON:** The first one is Gulf Coast Business credit line.

4 **MS. STARKS:** And, Your Honor, before we get into the specifics of the
5 document, any numbers that we mention, Staff would ask in conjunction with the
6 applicant that it'd be, I guess, redacted as these are financial documents and we
7 plan on filing these confidential, under seal.

8 **JUDGE GUILLOT:** Okay. Do you agree that you want the numbers redacted?

9 **MR. WASHINGTON:** Yes, ma'am.

10 **JUDGE GUILLOT:** Okay. The request is granted. To the extent that a number
11 appears in the testimony, the Court Reporter is directed to redact it from the public
12 version of the transcript.

13 **MS. STARKS:** Thank you, Your Honor. Mr. Washington, what does this
14 document detail?

15 **MR. WASHINGTON:** It's the company that we use to factor our loans with.

16 **MS. STARKS:** Okay. And does it provide, I guess, an assurance to the Public
17 Service Commission that any loan up to a certain amount in this document will be
18 provided by the institution?

19 **MR. WASHINGTON:** Yes, ma'am.

20 **MS. STARKS:** Okay. And can you tell the court what that letter is after that first
21 document?

22 **MR. WASHINGTON:** It's going to be the working capital that we have with the
23 company.

1 **MS. STARKS:** Okay. And is there a promissory note attached to this document?

2 **MR. WASHINGTON:** Yes, ma'am, it is.

3 **MS. STARKS:** And what is that regarding?

4 **MR. WASHINGTON:** This is the loan we acquired from Progressive National

5 Bank.

6 **MS. STARKS:** Okay. And to the best of your knowledge, is the company current

7 on that loan?

8 **MR. WASHINGTON:** Yes, ma'am, it is.

9 **MS. STARKS:** Okay. And is there a -- and is this letter on letterhead and signed

10 by a representative of the company?

11 **MR. WASHINGTON:** Yes, ma'am.

12 **MS. STARKS:** Okay. And did the company submit this document in lieu of

13 financial documents?

14 **MR. WASHINGTON:** Yes, ma'am.

15 **MS. STARKS:** Is there a reason why?

16 **MR. WASHINGTON:** No, ma'am, this is what we thought we needed.

17 **MS. STARKS:** Okay. Does the company have any financial documents to submit,

18 or?

19 **MR. WASHINGTON:** No, ma'am.

20 **MS. STARKS:** Okay. That's what I was trying to get at. Yeah.

21 **MR. WASHINGTON:** Okay. I'm sorry.

22 **MS. STARKS:** It's okay. Has the company had an opportunity to, I guess, initiate

23 payroll?

1 **MR. WASHINGTON:** Yes, ma'am.

2 **MS. STARKS:** Okay. Does the company have any issues making payroll?

3 **MR. WASHINGTON:** No, ma'am.

4 **MS. STARKS:** Okay. You talked about the owner-operating that y'all do with
5 certain companies; is that the only income sources that y'all have?

6 **MR. WASHINGTON:** No, ma'am. I also operate with my dump trucks outside
7 of being lease-to-own with those companies.

8 **MS. STARKS:** Okay. If need be, are you able and willing to obtain or put capital
9 into the company if needed?

10 **MR. WASHINGTON:** Yes, ma'am.

11 **MS. STARKS:** Okay. Are you aware of any financial factors that will limit the
12 company from providing safe and efficient transportation of waste?

13 **MR. WASHINGTON:** No, ma'am.

14 **MS. STARKS:** Has the company ever filed for bankruptcy?

15 **MR. WASHINGTON:** No, ma'am.

16 **MS. STARKS:** Is the company current on all of its state and federal tax returns?

17 **MR. WASHINGTON:** Yes, ma'am.

18 **MS. STARKS:** Has the company been subject to any type of federal audit or state
19 audit?

20 **MR. WASHINGTON:** No, ma'am.

21 **MS. STARKS:** And just for the record because we don't have any numbers here
22 dealing with finances, has the company had any years of loss since its inception?

23 **MR. WASHINGTON:** No, ma'am.

1 **MS. STARKS:** Okay. And we did mention that the company does have a CPA?

2 **MR. WASHINGTON:** Yes.

3 **MS. STARKS:** Okay. And can you say her name again for the record?

4 **MR. WASHINGTON:** Excuse me. One second.

5 **MS. STARKS:** You can go back -- you can refer to --

6 **MR. WASHINGTON:** Yeah. Okay. I'm going to see if I can pronounce this

7 right. It's Rekeya Walker.

8 **MS. STARKS:** Is it in the document?

9 **MR. WASHINGTON:** Yes.

10 **MS. STARKS:** Okay. Last name Walker?

11 **MR. WASHINGTON:** Yes, ma'am.

12 **MS. STARKS:** Okay. Your Honor, at this -- is it your desire to enter Exhibit 2

13 into the record?

14 **MR. WASHINGTON:** Yes, ma'am, it is.

15 **MS. STARKS:** Your Honor, at this time in conjunction with the applicant, with

16 no objection from Staff, we would like to file, offer, introduce into evidence what

17 has been previously labeled as Staff Exhibit 2, which are financial statements from

18 the applicant and filed confidentially, under seal.

19 **JUDGE GUILLOT:** Mr. Washington, you want these admitted confidentially?

20 **MR. WASHINGTON:** Yes, ma'am.

21 **JUDGE GUILLOT:** Okay. I have in front of me what is Applicant's Exhibit 2.

22 We're going to call these -- it's going to be -- actually Exhibit 1 was an in globo

23 exhibit. Exhibit 2 will also be an in globo exhibit. We're going to call these --

1 they're not really financial statements, it's more -- let's see, paperwork in support
2 of the working capital program; does that work?

3 **MS. STARKS:** Sure. If that's not too much type for y'all.

4 **JUDGE GUILLOT:** Okay. That's what we're going to call it. So paperwork in
5 support of the W N W's working capital program and that will be under seal, that's
6 an in globo exhibit. So Applicant's Exhibit 2 is admitted under seal. Just for the
7 Court Reporter, Exhibit 1 was also an in globo exhibit.

8 **MS. STARKS:** Thank you, Your Honor. Mr. Washington, can you turn your
9 attention to Exhibit 3?

10 **MR. WASHINGTON:** Yes, ma'am.

11 **MS. STARKS:** Can you tell the court what that document is?

12 **MR. WASHINGTON:** This is the permit for the Texas Railroad Commission, the
13 Texas Oil and Gas.

14 **MS. STARKS:** Okay. And what does this document allow?

15 **MR. WASHINGTON:** It's the permits we have with numbers for Texas as well.

16 **MS. STARKS:** What does it allow you to do though?

17 **MR. WASHINGTON:** To haul -- I'm sorry -- saltwater and waste in Texas.

18 **MS. STARKS:** Okay. Statewide?

19 **MR. WASHINGTON:** Yes, ma'am.

20 **MS. STARKS:** Okay. And this document, it expires at the end of this year. Does
21 the company anticipate on renewing this permit at the expiration date?

22 **MR. WASHINGTON:** Yes, ma'am.

23 **MS. STARKS:** Okay. And can you tell the court what that next document is?

1 **MR. WASHINGTON:** It's the Secretary of State for Texas.

2 **MS. STARKS:** And does it authorize the company to do business in Texas?

3 **MR. WASHINGTON:** Yes, ma'am, it does.

4 **MS. STARKS:** Okay. Is this the application for it?

5 **MR. WASHINGTON:** Yes, ma'am, I believe it is.

6 **MS. STARKS:** Okay. And do you desire these documents to be admitted as

7 Exhibit 3 into the record?

8 **MR. WASHINGTON:** [INAUDIBLE].

9 **MS. STARKS:** Okay. At this time, Your Honor, Staff is going to request in

10 conjunction with the applicant that this document be admitted as Exhibit 3 as, I

11 guess, an in globo exhibit, which is their waste hauling permit for Texas and a

12 Secretary of State document for Texas as, I guess, additional permits, and Staff has

13 no objection.

14 **JUDGE GUILLOT:** Okay. I have in front of me Applicant's Exhibit 3, in globo.

15 I guess we'll just call this Texas licenses and permits.

16 **MS. STARKS:** That sounds good to me.

17 **JUDGE GUILLOT:** Okay. Texas licenses and permits is admitted, Exhibit 3, in

18 globo.

19 **MS. STARKS:** Thank you. Mr. Washington does the company, to the best of your

20 knowledge, have any other permits?

21 **MR. WASHINGTON:** No, ma'am.

22 **MS. STARKS:** Okay. None in Texas, none in Louisiana?

23 **MR. WASHINGTON:** None.

1 **MS. STARKS:** Okay. Does the company have all necessary authorizations,
2 permits, and licenses from any state or federal agencies to exercise the authority to
3 transport and dispose of the type of waste requested today?

4 **MR. WASHINGTON:** Yes, ma'am, we do.

5 **MS. STARKS:** Okay. Can you turn your attention to Exhibit 4 for me?

6 **MR. WASHINGTON:** Yes, ma'am.

7 **MS. STARKS:** Can you tell the court what that document is?

8 **MR. WASHINGTON:** It's the table of contents for the safety manual.

9 **MS. STARKS:** Okay. And can you just give a brief overview of what would be
10 included in the safety manual in regards to the table of contents?

11 **MR. WASHINGTON:** Okay. You have the management, who to contact in case
12 of a spill, hazard contacts, your PPE, electrical protection, evac, your job safety
13 analysis, and how to prevent a spill.

14 **MS. STARKS:** Okay. And does this also include any policies relating to the
15 transportation of the waste requested today?

16 **MR. WASHINGTON:** Yes, ma'am, it does.

17 **MS. STARKS:** Okay. And is a full copy readily available for the court as Exhibit
18 5 on a jump drive?

19 **MR. WASHINGTON:** Yes, ma'am, it is.

20 **MS. STARKS:** Okay. In addition to that, is a copy readily available or will be
21 readily available to your employees?

22 **MR. WASHINGTON:** Yes, ma'am.

23 **MS. STARKS:** Okay. Are they required to read upon hire?

1 **MR. WASHINGTON:** Yes, ma'am. Also, we have a safety meeting every month
2 to go over some of those.

3 **MS. STARKS:** Okay. Are the safety meetings only monthly? Do y'all have any
4 like tailgate meetings or job-specific meetings as well?

5 **MR. WASHINGTON:** We have job-specific, yes, ma'am.

6 **MS. STARKS:** Okay. And how often are those?

7 **MR. WASHINGTON:** That would be every two weeks.

8 **MS. STARKS:** Okay. And in regards to those, I guess, monthly safety meetings,
9 can you just give us some topics y'all go over in those?

10 **MR. WASHINGTON:** We go over, again, protection and PPE wearing, how to
11 prevent a spill -- excuse me -- also the checking up a truck, pre-trip, post-trip,
12 fatigue, cellphone usage.

13 **MS. STARKS:** Okay. And are you the person that heads those meetings?

14 **MR. WASHINGTON:** Yes, ma'am.

15 **MS. STARKS:** Okay. And are all employees required or just the drivers? How
16 does that work?

17 **MR. WASHINGTON:** No, all employees.

18 **MS. STARKS:** Okay. And are those meetings like, I guess, the attendance of
19 those meetings documented?

20 **MR. WASHINGTON:** Yes, ma'am.

21 **MS. STARKS:** And who keeps up with that?

22 **MR. WASHINGTON:** I do.

23 **MS. STARKS:** Okay. And where are the safety meetings held?

1 **MR. WASHINGTON:** At the office at 136 Major Lane.

2 **MS. STARKS:** Okay. And let's, I guess, talk about the hiring or the potential

3 hiring of employees and drivers. Can you just give a brief overview of how that

4 works?

5 **MR. WASHINGTON:** We use a company called Grizzly for safety, ISNet for

6 drug testing. Employees have to be at least 24 years of age, 2 years' experience in

7 the oilfield. My trucks are automatic, so most of them have commercial driver

8 licenses and can drive an automatic truck. So we do a road test, and once we vet

9 the application, and then have them ride along with someone for two weeks.

10 **MS. STARKS:** Okay. Is a CDL required?

11 **MR. WASHINGTON:** Yes, ma'am.

12 **MS. STARKS:** Okay. Does the company also do background checks?

13 **MR. WASHINGTON:** Yes.

14 **MS. STARKS:** What about motor vehicle?

15 **MR. WASHINGTON:** MVR, yes, ma'am.

16 **MS. STARKS:** Okay. And you mentioned the drug testing; is that upon hire?

17 **MR. WASHINGTON:** Yes.

18 **MS. STARKS:** What about random?

19 **MR. WASHINGTON:** We do the randoms as well, yes, ma'am.

20 **MS. STARKS:** Anything after an incident?

21 **MR. WASHINGTON:** Yes, ma'am.

22 **MS. STARKS:** Upon suspicion?

23 **MR. WASHINGTON:** Yes.

1 **MS. STARKS:** Okay. And what is the -- just give a brief overview the company's
2 drug and alcohol policy.

3 **MR. WASHINGTON:** We don't tolerate no drugs at all.

4 **MS. STARKS:** Okay. What about alcohol?

5 **MR. WASHINGTON:** Well, that's on your personal time, you can do what you
6 want to do, but not in my trucks, no, ma'am.

7 **MS. STARKS:** Okay. And is that included in the manual as well?

8 **MR. WASHINGTON:** Yes.

9 **MS. STARKS:** Okay. Does the company have any unresolved insurance claims
10 or workers' comp claims pending against it or any of its drivers?

11 **MR. WASHINGTON:** No, ma'am.

12 **MS. STARKS:** Has the company ever been asked to leave a job site?

13 **MR. WASHINGTON:** No, ma'am.

14 **MS. STARKS:** Has the company had any complaints from its customers about its
15 drivers?

16 **MR. WASHINGTON:** No, ma'am.

17 **MS. STARKS:** What about any complaints from the general public?

18 **MR. WASHINGTON:** No, ma'am.

19 **MS. STARKS:** And the company -- is the company in compliance with, I guess,
20 just Texas and Louisiana where it conducts operations?

21 **MR. WASHINGTON:** Yes.

22 **MS. STARKS:** Okay. Has the company had any federal regulatory violations?

23 **MR. WASHINGTON:** No, ma'am.

1 **MS. STARKS:** And do you handle all the safety, I guess, protocol with the
2 company or is there a third party or person that does that?

3 **MR. WASHINGTON:** I handle all of it. I do have Eric hired as well, Eric
4 Gutierrez.

5 **MS. STARKS:** And what's his, I guess --

6 **MR. WASHINGTON:** He's a dispatcher as well.

7 **MS. STARKS:** Okay. Is he included in the, I guess, operating structure that was
8 in the application?

9 **MR. WASHINGTON:** Yes, ma'am.

10 **MS. STARKS:** Okay. Does he handle, I guess, like safety meetings at all?

11 **MR. WASHINGTON:** Yes.

12 **MS. STARKS:** Okay. And I know you mentioned ISNetworld; is that the only
13 safety network that the company is a part of?

14 **MR. WASHINGTON:** We also use Grizzly.

15 **MS. STARKS:** Okay. And what's the company's cellphone policy?

16 **MR. WASHINGTON:** No cellphone during operation of the vehicles.

17 **MS. STARKS:** Handsfree?

18 **MR. WASHINGTON:** Yes, ma'am.

19 **MS. STARKS:** Okay. You do allow handsfree?

20 **MR. WASHINGTON:** Yeah, we allow handsfree.

21 **MS. STARKS:** Okay. And is that in the safety manual as well?

22 **MR. WASHINGTON:** Yes.

1 **MS. STARKS:** Okay. And in regards to the ISNetwork, does the company have
2 a safety rating with the company?

3 **MR. WASHINGTON:** No, we do not at this time.

4 **MS. STARKS:** Okay. And is it your desire to enter these documents as Exhibit 4
5 into the record this morning?

6 **MR. WASHINGTON:** Yes, ma'am.

7 **MS. STARKS:** Okay. Your Honor, at this time in conjunction with the applicant,
8 with no objection, Staff desires to introduce into the record Applicant's Exhibit 4,
9 which is the table of contents for their safety manual and I think that's it. We'll do
10 Exhibit 5 separately.

11 **JUDGE GUILLOT:** I have in front of me Applicant's Exhibit 4. It is the W N W
12 Transport LLC HSE program manual, the table of contents. Staff has stated they
13 don't object, so Exhibit 4 is admitted.

14 **MS. STARKS:** Is it applicant's desire to enter Exhibit 5, which is the USB drive
15 with the full safety manual into the record as well?

16 **MR. WASHINGTON:** Yes, ma'am.

17 **MS. STARKS:** Your Honor, at this time in conjunction with the applicant, Staff
18 desires to offer, file, introduce into evidence Exhibit 5, which is the full safety
19 manual on a USB drive, with no objection, into the record.

20 **JUDGE GUILLOT:** I have in front of me Applicant's Exhibit 5, which is a thumb
21 drive. Parties have indicated that this contains the full copy of the HSE program
22 manual for W N W Transport. Staff stated they do not object, so Applicant's
23 Exhibit 5 is admitted.

1 **MS. STARKS:** Thank you, Your Honor. Going to turn your attention to Exhibit
2 6. Can you tell the court what that document is?

3 **MR. WASHINGTON:** It says certificate of insurance for W N W Transport. It's
4 a million dollar coverage general liability, a million dollar auto, five million
5 umbrella, and a one million pollution

6 **MS. STARKS:** Okay. And do these policies expire in December of 2024?

7 **MR. WASHINGTON:** Yes, ma'am.

8 **MS. STARKS:** And upon, I guess, prior to expiration, does the company anticipate
9 on renewing those policies?

10 **MR. WASHINGTON:** Yes, ma'am.

11 **MS. STARKS:** Okay. And this specific policy, the first page, I guess, near the
12 bottom, are the vehicles listed here the dump trucks or the --

13 **MR. WASHINGTON:** No, ma'am, this is two of the 18 wheelers for the water
14 hauling. We just used two to start the policy as it was not written yet.

15 **MS. STARKS:** Okay. And for the record, are these the vehicles that are going to
16 be used to transport waste?

17 **MR. WASHINGTON:** Yes, ma'am, it is.

18 **MS. STARKS:** Okay. And to the best of your -- to the best of your knowledge,
19 will this cover all the equipment listed and drivers?

20 **MR. WASHINGTON:** Yes, ma'am.

21 **MS. STARKS:** Okay. And can you turn your attention to the next document?
22 Can you tell the court what that document is?

1 **MR. WASHINGTON:** This says certificate of insurance for W N W Transport
2 from Progressive Commercial, and this says the dump truck insurance, the million
3 dollar general liability policy.

4 **MS. STARKS:** Okay. And upon expiration of this policy, does the company
5 anticipate on renewing as well?

6 **MR. WASHINGTON:** Yes, ma'am, we do.

7 **MS. STARKS:** Okay. And is this policy going to cover the company's equipment
8 and drivers?

9 **MR. WASHINGTON:** Yes, ma'am, it will.

10 **MS. STARKS:** Okay. And in regards to both of these policies, to the best of your
11 knowledge, does it meet the insurance that is required by the Louisiana Public
12 Service Commission?

13 **MR. WASHINGTON:** Yes, ma'am, it does.

14 **MS. STARKS:** Okay. And is it your desire to offer, file, introduce these into the
15 record as Exhibit 6?

16 **MR. WASHINGTON:** Yes, ma'am.

17 **MS. STARKS:** Your Honor, at this time in conjunction with the applicant, Staff
18 desires to offer, file, introduce into evidence what has been labeled as Exhibit 6,
19 which is the ACORD certificates for W N W Transport LLC. Staff has no
20 objection.

21 **JUDGE GUILLOT:** I have in front of me Applicant's Exhibit 6. This is an in
22 globo exhibit. It is two ACORD certificate of liability insurance. Both certificates
23 list W N W Transport LLC as the insured. One is dated for December 19, 2023,

1 and the other is dated for February 15, 2024. Applicant's Exhibit 6, in globo, is
2 admitted.

3 **MS. STARKS:** Thank you, Your Honor. Okay. If the certificate is granted, does
4 the applicant intend to comply with all the rules and regulations of the Louisiana
5 Public Service Commission?

6 **MR. WASHINGTON:** Yes, ma'am.

7 **MS. STARKS:** Is the company aware of the Public Service Commission's
8 requirement to keep insurance on file at all times by filing that Form E with us?

9 **MR. WASHINGTON:** Yes, ma'am.

10 **MS. STARKS:** Is the company aware of the Public Service Commission's
11 requirement to seek and obtain prior approval to sell, transfer, lease, merge, or
12 encumber its certificate?

13 **MR. WASHINGTON:** Yes, ma'am.

14 **MS. STARKS:** Is the company aware of the Public Service Commission's
15 requirement that the company must apply for and receive prior approval before any
16 changes to the direct or indirect ownership of the company, or any changes or
17 transfers of shares of stock or interest that take effect?

18 **MR. WASHINGTON:** Yes, ma'am.

19 **MS. STARKS:** Is the applicant aware of the Public Service Commission's
20 requirement to keep all contact information up to date?

21 **MR. WASHINGTON:** Yes.

22 **MS. STARKS:** Is the applicant aware of the Public Service Commission's
23 requirement to renew and register its vehicles every year?

1 **MR. WASHINGTON:** Yes, ma'am.

2 **MS. STARKS:** Is the applicant aware of the Public Service Commission's
3 requirement to file annual reports?

4 **MR. WASHINGTON:** Yes, ma'am.

5 **MS. STARKS:** And I believe it's checked off on the application, but to confirm
6 for the record, is the applicant's reporting year a calendar year or a fiscal year?

7 **MR. WASHINGTON:** Reporting year?

8 **MS. STARKS:** Is it a calendar year or fiscal year? Does it end -- does the year for
9 the company's finances end --

10 **MR. WASHINGTON:** Calendar year. I'm sorry.

11 **MS. STARKS:** Okay. Is the applicant aware that it's required to file inspection
12 and supervision fee reports with the Louisiana Department of Revenue?

13 **MR. WASHINGTON:** Yes, ma'am.

14 **MS. STARKS:** Is the applicant aware that it's required to pay inspection and
15 supervision fees based on jurisdictional revenue to the Louisiana Department of
16 Revenue?

17 **MR. WASHINGTON:** Yes, ma'am.

18 **MS. STARKS:** Okay. And I believe you stated it before, but just for the record
19 again, will you be the point of contact for the Public Service Commission?

20 **MR. WASHINGTON:** Yes.

21 **MS. STARKS:** Is there anything that you wish to add to your testimony today?

22 **MR. WASHINGTON:** No, ma'am.

1 **MS. STARKS:** Is there anything you wish to clarify regarding your testimony
2 today?

3 **MR. WASHINGTON:** No, ma'am.

4 **MS. STARKS:** Staff has no further questions, Your Honor.

5 **JUDGE GUILLOT:** Okay. I just have a couple of questions. In your application
6 you listed -- you had an equipment list and you testified about water trucks.

7 **MR. WASHINGTON:** Yes, ma'am.

8 **JUDGE GUILLOT:** Are those the dump trucks or are those -- when you're talking
9 about "water trucks", what are you talking about?

10 **MR. WASHINGTON:** That's the vac trailers.

11 **JUDGE GUILLOT:** Okay. The vac --

12 **MR. WASHINGTON:** I used to work for the vac trailers [INAUDIBLE].

13 **JUDGE GUILLOT:** So those five vac trailers?

14 **MR. WASHINGTON:** Yes.

15 **JUDGE GUILLOT:** Okay.

16 **MR. WASHINGTON:** Excuse me, Your Honor. It's actually six.

17 **JUDGE GUILLOT:** Okay. You have six tractors listed --

18 **MR. WASHINGTON:** Yes, ma'am.

19 **JUDGE GUILLOT:** -- and you have five trailers listed. Do you have another
20 trailer?

21 **MR. WASHINGTON:** Yes, ma'am. We just acquired another one.

22 **JUDGE GUILLOT:** Okay. So there is a sixth trailer?

23 **MR. WASHINGTON:** Yes, ma'am.

1 **JUDGE GUILLOT:** Do you happen to know the year of that trailer? Like you
2 have on here, like, 2004 Dragon or something like that.

3 **MR. WASHINGTON:** Yes, ma'am. It's going to be a Dragon as well, but I don't
4 know the year.

5 **JUDGE GUILLOT:** Okay. How many employees do you currently have on
6 payroll?

7 **MR. WASHINGTON:** Two.

8 **JUDGE GUILLOT:** Okay. What are those two?

9 **MR. WASHINGTON:** That would be the husband and wife, Eric and Shyra.
10 They would be dispatcher and payroll.

11 **JUDGE GUILLOT:** Are you on payroll?

12 **MR. WASHINGTON:** Yes, ma'am. I'm sorry.

13 **JUDGE GUILLOT:** And is Ms. Washington on payroll?

14 **MR. WASHINGTON:** Yes.

15 **JUDGE GUILLOT:** So you have four --

16 **MR. WASHINGTON:** Four, yes, ma'am.

17 **JUDGE GUILLOT:** Four employees on payroll right now. Okay. If this
18 certificate is granted to you, how many drivers do you anticipate hiring?

19 **MR. WASHINGTON:** Nine.

20 **JUDGE GUILLOT:** Nine. Okay. When you did the owner-operator work, how
21 many drivers did your company have?

22 **MR. WASHINGTON:** Six.

1 **JUDGE GUILLOT:** Okay. At the beginning of your testimony you talked about
2 kind of what you did, that you did the owner-operator work, but as a company as a
3 whole, W N W, you also stated that you did some non-regulated dump truck work.
4 **MR. WASHINGTON:** Yes, ma'am.
5 **JUDGE GUILLOT:** So what does your company do like right now? Does it just
6 do non-regulated dump truck work?
7 **MR. WASHINGTON:** Yes, ma'am, that's correct.
8 **JUDGE GUILLOT:** So what are you hauling right now?
9 **MR. WASHINGTON:** Rocks and dirt.
10 **JUDGE GUILLOT:** Rocks and --
11 **MR. WASHINGTON:** Yes, ma'am.
12 **JUDGE GUILLOT:** And are you the person driving those trucks for the rocks
13 and dirt?
14 **MR. WASHINGTON:** Yes, ma'am.
15 **JUDGE GUILLOT:** Okay. And I just want to confirm, you're going to seek a
16 saltwater certificate from the Commission?
17 **MR. WASHINGTON:** Yes, ma'am, [INAUDIBLE].
18 **JUDGE GUILLOT:** Okay. Have you started that process yet or are you --
19 **MR. WASHINGTON:** No, ma'am.
20 **JUDGE GUILLOT:** Okay. That's all the questions I have. Did Staff have any
21 questions regarding those topics?
22 **MS. STARKS:** No, Your Honor.

1 **JUDGE GUILLOT:** Okay. Did you have anything else that you wanted to add
2 in support of your application or any clarifications or anything else?

3 **MR. WASHINGTON:** No.

4 **JUDGE GUILLOT:** Okay. What is Staff's opinion on this application?

5 **MS. STARKS:** Your Honor, as we stated in our prehearing statement, we believe
6 that the applicant satisfies all the requirements at this point. They don't have any
7 violations or anything with our agency and we believe we support the application
8 today.

9 **JUDGE GUILLOT:** Is there anything else we need to put on the record today in
10 support of the application from Staff?

11 **MS. STARKS:** Nothing from Staff, Your Honor.

12 **JUDGE GUILLOT:** Okay. And nothing from the applicant, correct?

13 **MR. WASHINGTON:** No, ma'am.

14 **JUDGE GUILLOT:** Okay. Then this hearing is adjourned.

15

16 **(WHEREUPON, THE HEARING WAS ADJOURNED)**

17

1 I hereby certify that the foregoing pages 1 through 33 are true and correct to the best
2 of my knowledge of the Hearing held on March 11, 2024 in Baton Rouge, Louisiana.

3

4 **Rough Draft by:**

5 

6 **Clarisa Findley,**
7 **Court Reporter**

March 12, 2024

Date

8 **Proofed by:**

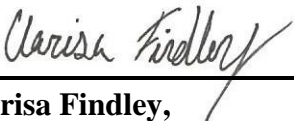
9 

10 **Kayla Fiorenza,**
11 **Court Reporter**

March 13, 2024

Date

12 **Finalized by:**

13 

14 **Clarisa Findley,**
15 **Court Reporter**

March 13, 2024

Date