

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In re Application No. GA-078930 of)
) DOCKET NO. TG-001567
Robin D.R. Carper, d/b/a Rob's Demolition)
for a Certificate of Public Convenience and)
Necessity to Operate Motor Vehicles in)
Furnishing Solid Waste Collection Service) PREHEARING CONFERENCE ORDER
) AND NOTICE OF HEARING
) (MARCH 20, 2001)
)
.....)

1 **PREHEARING CONFERENCE:** The Commission held a prehearing conference in this matter in Olympia, Washington, on Tuesday, February 27, 2001. The prehearing conference was held before Administrative Law Judges Marjorie R. Schaer and William E. Hendricks.

2 **PARTIES:** Robin D.R. Carper, Spokane, represents Robin D.R. Carper, d/b/a Rob's Demolition (Rob's Demolition). James Sells, attorney, Silverdale, represents the Washington Refuse and Recycling Association. Polly L. McNeill, attorney, Seattle, represents Waste Management of Washington. Jonathan C. Thompson, Assistant Attorney General, represents the staff of the Washington Utilities and Transportation Commission.

3 **ISSUES:** The parties agree that the petition presents two issues. The first issue is whether a certificate is required for the service that Rob's Demolition proposes. The issue presents two questions: (a) is the service for which Rob's Demolition requests authority incidental to its primary business; and (b) is the service it proposes recycling, rather than waste hauling.

4 Second, if a certificate is required: (a) does the public convenience and necessity require that Rob's Demolition be granted authority to provide the services; and (b) is the service that the existing certificate holder provides satisfactory to the Commission.

5 **NOTICE IS HEREBY GIVEN** that, in accordance with WAC 480-09-700(1)(a), the Commission has determined that good cause exists for this matter to be heard upon a shortened notice.

6 **NOTICE IS FURTHER GIVEN** that a hearing in this matter will be held on Tuesday, March 20, 2001, beginning at 9:30 a.m., at Eastern Washington University, 705 West 1st Avenue, Room 208, Spokane, Washington.

- 7 **FILING; COPIES OF MATERIALS:** All filings should be directed to the Commission Secretary, Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., P.O. Box 47250, Olympia, Washington 98504-7250, or by hand delivery to the Commission Secretary via the Commission's records center at the Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., Olympia, Washington, 98504-7250. Both the post office box and street address are required to expedite deliveries by U.S. Postal Service. An original plus 11 copies of all pleadings, motions, briefs, and other prefiled materials must be filed with the Commission. Parties must furnish separately a 3.5 inch IBM formatted high-density diskette including the filed document(s) in .pdf format, MS Word 97 (or later), or Wordperfect 6.0 (or later) format.
- 8 Electronic filing may be allowed on request by a party or required by the Bench, if necessary to expedite a particular process. When electronic filing and service is allowed or required, please use the Commission's e-mail at: <records@wutc.wa.gov>, or facsimile number: (360) 586-1150.
- 9 **ALTERNATIVE DISPUTE RESOLUTION; SETTLEMENT:** The Commission urges all parties to formal adjudications to consider alternative methods to bring resolution to contested issues. In this regard, the parties' attention is directed to WAC 480-09-465, "Alternative dispute resolution," and WAC 480-09-466, "Settlement conferences."
- 10 **NOTICE TO PARTIES:** Any objection to the provisions of this Order must be filed within ten (10) days after the date of mailing of this statement, pursuant to WAC 480-09-460(2). Absent such objections, this Prehearing Conference Order will control further proceedings in this matter, subject to Commission review.

DATED at Olympia, Washington, and effective this day of March, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARJORIE R. SCHAER
Administrative Law Judge

**DOCKET NO. TG-001567
PARTIES' REPRESENTATIVES**

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