

[Service Date June 5, 2007]

June 5, 2007

**NOTICE OF OPPORTUNITY FOR STAFF RESPONSE
TO STATEMENT OF SUPPORT
(Due by June 12, 2007)**

**NOTICE OF HEARING
(Set for July 9, 2007, 2:00 p.m.)**

Re: *Meridian Transportation Resources, LLC d/b/a Meridian Western, Request for Mitigation of Penalty Assessment, Docket TE-070767*

TO ALL PARTIES:

On April 24, 2007, the Washington Utilities and Transportation Commission (Commission), issued and served upon Meridian Transportation Resources, LLC d/b/a MTR Western (MTR Western), Penalty Assessment No. TE-070767, assessing penalties in the amount of \$500 in connection with one (1) violation of 49 CFR Part 382.301(a), which requires companies to ensure each driver receives a negative pre-employment controlled substance test result. On May 23, 2007, MTR Western filed with the Commission its request for hearing. MTR Western provides a letter stating the reason in support of its request.

Since MTR Western contests the violations, the Commission believes this matter may be conducted as a brief adjudicative proceeding in accordance with RCW 34.05.482 – .494 and WAC 480-07-610. These statutes and rules may be accessed via the Commission's Internet web pages at www.wutc.wa.gov or parties may obtain copies of the rules by contacting the Commission's Records Center at (360) 664-1234.

The hearing of which the Commission gives notice here will focus on whether the company can show mitigating circumstances that might warrant a reduction in penalties. It would be inefficient to proceed to hearing without Staff's response to

MTR Western's statement of reasons it was not in violation of 49 CFR Part 382.301(a). Accordingly, the Commission requires that Staff file a response to MTR Western's statement in support of its request.

THE COMMISSION GIVES NOTICE That Commission Staff must file its response to MTR Western's statement of support no later than June 12, 2007.

THE COMMISSION GIVES FURTHER NOTICE That it will conduct a brief adjudicative proceeding in this matter at 2:00 p.m., on Monday, July 9, 2007, in Room 108, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. Parties will be given the opportunity to make oral statements and may be asked to respond to questions. Any such testimony will be given under oath. If you are unable to attend the brief adjudicative proceeding in person, you may attend via the Commission's teleconference bridge line: **(360) 664-3846**. Please appear on the teleconference bridge five minutes before the hearing is scheduled to begin.

Sincerely,

ADAM E. TOREM
Administrative Law Judge

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 this form and return it to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, 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 No.: (____) _____