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March 14, 2008

*Via electronic filing*

Ms. Carole J. Washburn  
WUTC Executive Secretary  
Washington Utilities & Transportation Commission  
1300 S Evergreen Park Drive SW  
PO Box 47250  
Olympia WA 98504-7250

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PROSECUTOR GENERAL'S OFFICE  
2008 MAR 19 AM 8:41  
STATE OF WASH.  
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COMMISSION

RE: *Waste Connections of Washington, Inc., v. Enviro / Con & Trucking, Inc., et. al.*  
*WUTC Case No. TG-071194*  
*Clark County's Response to Respondents' Motion for Summary Determination*

Dear Ms. Washburn:

Attached please find *Clark County's Response to Respondents' Motion for Summary Determination* regarding the above-entitled action. The original and six copies have been placed in the mail for filing by your office.

If you have any questions in this matter, please contact our office.

Sincerely,

Mindy Lamberton  
Legal Secretary to E. Bronson Potter  
Sr. Deputy Prosecuting Attorney

Enclosures

cc w/enclos: David Wiley  
Polly L. McNeill, Jessica Goldman

**CIVIL DIVISION**

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BEFORE THE WASHINGTON UTILITIES  
AND TRANSPORTATION COMMISSION

WASTE CONNECTIONS OF  
WASHINGTON, INC.,

Complainant,

v.

ENVIRO/CON & TRUCKING, INC., a  
Washington corporation; ENVIROCON, INC.,  
a corporation; and WASTE MANAGEMENT  
DISPOSAL SERVICES OF OREGON, INC.,

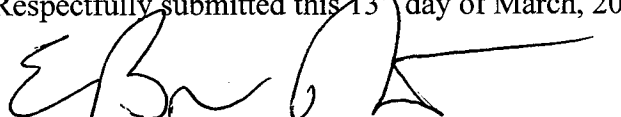
Respondents.

Case No. TG-071194

CLARK COUNTY'S RESPONSE TO  
RESPONDENTS' MOTION FOR  
SUMMARY DETERMINATION

Clark County concurs with and hereby adopts the statements and reasoning put forth in Waste Connections of Washington's answer to the respondents' motion for summary judgment. The respondents argue that this matter should be dismissed because "Waste Management and ECTI have ceased collecting and/or transporting ... [the waste]...and the requested order would serve no purpose."<sup>1</sup> By this logic, the Commission should not consider matters as long as the offending party completes their action before a hearing on the merits. This clearly is not the result supported by logic or the law. The respondents' motion for summary judgment should be denied.

Respectfully submitted this 13<sup>th</sup> day of March, 2008.



E. Bronson Potter WSBA 9102  
Of attorneys for Clark County, Washington

<sup>1</sup> See respondents' motion at page 3.