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ADMINISTRATOR

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

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

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."[1] 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 13th day of March, 2008.

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

[1] *See respondents' motion at page 3.*

CLARK COUNTY PROSECUTING ATTORNEY
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