

[Service Date December 23, 2003]

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of)	
)	DOCKET NO. TG-031817
BLAINE-BAY REFUSE, INC.)	
)	
Motion to amend Commission Order)	NOTICE OF PREHEARING
M.V.G. No. 656.)	CONFERENCE
)	(Set for January 8, 2004)
.....)	

1 On October 31, 2003, Blaine-Bay Refuse, Inc., filed a Motion to Amend Order M.V.G. No. 656, entered on January 21, 1974, by changing the legal description of the service area to include the following areas:

- 1) All land between Drayton Harbor Road and Drayton Harbor
- 2) All land between Semiahmoo Drive and Drayton Harbor
- 3) All land between Semiahmoo Drive and Semiahmoo Bay
- 4) All land between Birch Point Road and Birch Bay
- 5) All land between Birch Bay Drive and Birch Bay
- 6) All land on Point Whitehorn between the land located north of Grandview Road extended west to the Strait of Georgia and shoreland of Birch Bay

Notice of the Motion was published in the Commission's weekly Docket of November 17, 2003.

2 The issues in this proceeding include whether it is consistent with the public interest to grant the motion to amend Order M.V.G. No. 656, and whether other carriers are authorized to serve in the territory requested. The Commission has jurisdiction over this matter under Title 81 RCW, having legal authority to regulate persons seeking to furnish solid waste collection services under chapters 81.77 RCW and 480-70 WAC.

3 The statutes involved include those within chapter 81.04 RCW, chapter 81.28 RCW and chapter 81.77 RCW, including but not limited to RCW 81.04.200, RCW 81.04.210, RCW 81.77.040. Rules involved include those within chapters 480-70

WAC and 480-09 WAC, including but not limited to WAC 480-09-815, and WAC 480-09-820(1).

4 The Commission sets a prehearing conference to discuss preliminary matters, the hearing process, and to formulate the issues. Further, a purpose of the prehearing conference is to discuss whether proceedings should be consolidated with Docket No. TG-030831. Docket No. TG-030831 is an application by Blaine-Bay Refuse, Inc. for an extension of its solid waste collection authority that includes the same service areas that are the subject of the Motion to Amend.

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 shortened notice.

6 **NOTICE IS GIVEN That a prehearing conference in this matter will be held on Thursday, January 8, 2004, beginning at 1:30 p.m., in Room 108, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The prehearing conference will convene at the same time as a prehearing conference in Docket No. TG-030831.**

7 NOTICE IS ALSO GIVEN THAT ANY PARTY WHO FAILS TO ATTEND OR PARTICIPATE IN THE HEARING SET HEREIN, OR OTHER STAGE OF THIS PROCEEDING, MAY BE HELD IN DEFAULT IN ACCORDANCE WITH THE TERMS OF RCW 34.05.440. THE PARTIES ARE FURTHER ADVISED THAT THE SANCTION PROVISIONS OF WAC 480-09-700(4) ARE SPECIFICALLY INVOKED.

8 Please see the form attached to this notice which should be filled out and returned if any party or witness needs an interpreter or other assistance. The names and mailing addresses of all parties and their known representatives are as follows:

Applicant: Blaine-Bay Refuse, Inc.
4916 LaBounty Place
Ferndale, WA 98248
(360) 332-5443

Representative: Philip A. Serka, Attorney
Adelstein, Sharpe & Serka LLP
400 North Commercial Street
P.O. Box 5158
Bellingham, WA 98227-5158
(360) 671-8148

Protestant: Sanitary Service Company, Inc.
1001 Roeder Avenue
Bellingham, WA 98227
(206) 734-3490

Representative: Polly McNeill, Attorney
Summit Law Group
315 Fifth Avenue S., Suite 1000
Seattle, WA 98104
(206) 676-7000

Commission Staff: Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Donald T. Trotter
Senior Counsel
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1189

- 9 The complete file is available for inspection during office hours at the Commission's Records Center in Olympia, Washington. Notice of any other procedural phase will be given in writing or on the record as the Commission may deem appropriate during the course of this proceeding.

10 Karen M. Caillé has been appointed as the Administrative Law Judge from the Utilities and Transportation Commission's Administrative Law Division, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250, and will preside at the prehearing conference.

DATED at Olympia, Washington, and effective this 23rd day of December, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Executive Secretary

NOTICE

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and if limited English-speaking or 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.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned 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 No.: _____

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.: (____) _____