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1 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION

2 COMMISSION

3 In re Application )  
4 No. GA-079042 of )  
5 Ludtke-Pacific Trucking, Inc. )  
6 For a Certificate of Public ) DOCKET NO. TG-011675  
7 Convenience and Necessity to ) Volume No. 1  
8 Operate Motor Vehicles in ) Pages 1 - 7  
9 Furnishing Solid Waste )  
10 Collection Service. )  
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12 A prehearing conference in the above matter  
13 was held on March 25, 2002, at 2:16 p.m., at 1300 South  
14 Evergreen Park Drive Southwest, Olympia, Washington,  
15 before Administrative Law Judge LARRY BERG.

16 The parties were present as follows:

17 THE WASHINGTON UTILITIES AND TRANSPORTATION  
18 COMMISSION, by LISA WATSON, Assistant Attorney General,  
19 1400 South Evergreen Park Drive Southwest, Post Office  
20 Box 40128, Olympia, Washington 98504; phone,  
21 (360) 664-1186.

22 LUDTKE-PACIFIC TRUCKING, INC., by LEX LUDTKE,  
23 Vice President (via bridge), Post Office Box 32598,  
24 Bellingham, Washington 98228; phone, (360) 733-6670.

25 Kathryn T. Wilson, CCR  
Court Reporter

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1                               P R O C E E D I N G S

2                       JUDGE BERG: We'll be on the record. This is  
3 a prehearing conference in Docket No. TG-011675 before  
4 the Washington Utilities and Transportation Commission.  
5 This is with regards to Application No. GA-079042 of  
6 Ludtke-Pacific Trucking, Inc., for a certificate of  
7 public convenience and necessity to operate motor  
8 vehicles in furnishing solid waste collection service.  
9 In particular, this proceeding pertains to a  
10 transportations services agreement entered into between  
11 Ludtke-Pacific Trucking and Stericycle of Washington,  
12 Inc., dated December 10th, 2001.

13                       I'm Administrative Law Judge Larry Berg, and  
14 I've been assigned as the presiding officer in this  
15 case. This prehearing conference is being held  
16 pursuant to notice served on parties initially on March  
17 6, 2002, and then on March 14th, 2002. Today's date is  
18 March 25th, 2002. The prehearing conference is being  
19 convened at the commission's headquarters in Olympia,  
20 Washington.

21                       Commission staff is present. Ludtke-Pacific  
22 Trucking is appearing via the commission's  
23 teleconference capability. At this time, we will take  
24 appearances, and first, we will take appearance from  
25 commission staff.

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1 MS. WATSON: Good afternoon. My name is Lisa  
2 Watson, assistant attorney general for commission  
3 staff. Do you want an address?

4 JUDGE BERG: Will you please provide your  
5 contact information, Ms. Watson, including address,  
6 telephone number, fax number, and e-mail address.

7 MS. WATSON: My address is 1400 South  
8 Evergreen Park Drive Southwest, P.O. Box 40128,  
9 Olympia, Washington, 98504. My telephone number is  
10 area code (306) 664-1186. My fax number is  
11 (360) 586-5522, and my e-mail address is  
12 lwatson@wutc.wa.gov.

13 JUDGE BERG: For Ludtke-Pacific Trucking, we  
14 have Mr. Lex Ludtke, vice president. Mr. Ludtke, are  
15 you authorized to make decisions on behalf of  
16 Ludtke-Pacific Trucking in today's prehearing  
17 conference?

18 MR. LUDTKE: Yes, I am.

19 JUDGE BERG: The address and contact  
20 information we have for Ludtke Trucking is P.O. Box  
21 32598, Bellingham, Washington, 98228. Phone number,  
22 (360) 733-6670; fax number, (360) 773-6835. Is that  
23 information correct, Mr. Ludtke?

24 MR. LUDTKE: The fax number is  
25 (360) 733-6835.

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1           JUDGE BERG: Thank you. There was a typo on  
2 my sheet. Let me just ask for the record whether there  
3 are any other parties who wish to state an appearance  
4 at this time. Let the record reflect that there was no  
5 response.

6           The purpose of this prehearing conference is  
7 to discuss preliminary matters that are necessary in  
8 order to issue an order addressing the application of  
9 Ludtke-Pacific Trucking, and let me just indicate that  
10 the commission has received an application and  
11 supporting materials that I consider to be satisfactory  
12 to address the commission's needs. The applicant,  
13 Ludtke-Pacific Trucking, is still entitled to a hearing  
14 if it so desires. Let me ask Ms. Watson for commission  
15 staff whether commission staff has any questions about  
16 the materials that have been previously submitted by  
17 Ludtke Trucking.

18           MS. WATSON: Your Honor, we do have just one  
19 question about the materials submitted. There was a  
20 support letter by Stericycle dated December 10th, 2001,  
21 and it had the term "long-haul operations," and staff  
22 would just like a little bit of clarification about  
23 what that term means. Generally, it means interstate  
24 transportation, and so we are not entirely clear what  
25 that term means in the context of this support letter.

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1           JUDGE BERG: I have that letter dated  
2 December 10th, 2001, in front of me, and in the second  
3 paragraph of this letter that is signed by Michael  
4 Philpott, Pacific Northwest district manager for  
5 Stericycle, the second paragraph states: "Stericycle  
6 is in need of an additional carrier to support our  
7 long-haul operations throughout our service area."

8           Mr. Ludtke, let me ask whether you have any  
9 information about what Stericycle means when it refers  
10 to its long-haul operations in that letter?

11           MR. LUDTKE: My take on long haul is the same  
12 as what Lisa mentioned for interstate activity. I  
13 would have to get the clarification further on that.

14           JUDGE BERG: What I think I will do is I'll  
15 leave it to commission staff and Ms. Watson to make  
16 direct contact with Lloyd Ludtke or with Mr. Philpott  
17 to confirm what is meant by "long-haul operations," and  
18 then if commission staff would submit a letter to the  
19 commission stating that it's made contact and also to  
20 clarify the reference to long-haul operations as part  
21 of the record, I would appreciate it.

22           MS. WATSON: We will do that.

23           JUDGE BERG: Maybe that's something that  
24 could be done within the next 14 days. I'll indicate  
25 for the record that there are no protests to the

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1 application to Ludtke-Pacific in the record or that are  
2 known at this time. Mr. Ludtke, I mentioned before  
3 that Ludtke-Pacific Trucking is entitled to a hearing  
4 on its application. Let me ask whether at this time  
5 Ludtke Trucking would be willing to submit the matter  
6 on a paper record, that meaning a review of all the  
7 paperwork that has been filed in this case, and waive  
8 its right to a hearing and also waive its right to an  
9 initial order in this case.

10 MR. LUDTKE: If I waive it, it would move the  
11 process along?

12 JUDGE BERG: Yes. It would allow the  
13 commission to proceed directly to a final order based  
14 on the materials that are supplied by Ludtke Trucking  
15 and would expedite the overall process.

16 MR. LUDTKE: Correct, yes.

17 JUDGE BERG: That's noted for the record. Is  
18 there anything else the parties wish to discuss at this  
19 time? First commission staff.

20 MS. WATSON: We have nothing at this time,  
21 except I was wondering if I could ask when Lloyd Ludtke  
22 will return to the area.

23 MR. LUDTKE: That's a good question. He  
24 should be on his phone probably right now. I've always  
25 had really good luck tracking him down. I could get

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1 communication here this afternoon.

2 JUDGE BERG: Do you know whether Lloyd Ludtke  
3 will be back in the saddle within seven days or so?

4 MR. LUDTKE: Within seven days, yes.

5 JUDGE BERG: I'll leave it for Ms. Watson or  
6 Ms. Allen to contact Lloyd Ludtke directly, and there  
7 is no need for you to be in the middle any further.  
8 Mr. Ludtke, do you have any questions or other comments  
9 at this time?

10 MR. LUDTKE: No, Your Honor, nothing.

11 JUDGE BERG: Thank you very much for working  
12 with us here today. I appreciate your being available  
13 on short notice. At this point, all matters that  
14 needed to be considered have been concluded, and the  
15 hearing is adjourned.

16 (Prehearing concluded at 2:26 p.m.)

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