

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

In re Application TG-091026 of	)	DOCKET TG-091026
	)	
NORTHWEST LIQUID TRANSPORT	)	
I, INC.	)	
	)	NOTICE OF PREHEARING
For a Certificate of Public Convenience	)	CONFERENCE
and Necessity to Operate Motor	)	<b>(Set for September 16, 2009,</b>
Vehicles in Furnishing Solid Waste	)	<b>at 1:30 p.m.)</b>
Collection Service	)	
.....	)	

1 On June 26, 2009, Northwest Liquid Transport I, Inc. (Northwest Liquid), filed with the Washington Utilities and Transportation Commission (Commission) an application for a certificate of public convenience and necessity to operate motor vehicles in furnishing solid waste collection services under contract with Nature’s Path Food USA, Inc., located in Blaine, Washington, to collect and transport for disposal a mixture of sugar water and solids from the plant in Whatcom County. Notice of the Application was published in the Commission’s weekly Docket of July 9, 2009.

2 On August 7, 2009, Vanderveen Family Transport, Inc. filed a protest to the application. Sanitary Service Company, Inc. and Blaine-Bay Refuse, Inc. each filed a protest to the application on August 10, 2009.

3 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 81, and has legal authority to regulate persons seeking to furnish solid waste collection services under RCW 81.77 and WAC 480-70. The statutes that apply to this matter include RCW 80.01, RCW 81.04, RCW 81.28 and RCW 81.77, including but not limited to RCW 80.01.040 and RCW 81.77.040.

4 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW

34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

5 The issues in this proceeding include whether the issuance of a certificate to Northwest Liquid for the service it proposes is necessary and is otherwise consistent with the public interest, and whether other carriers authorized to serve in the requested territory will not provide service to the satisfaction of the Commission.

6 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 1:30 p.m., on September 16, 2009, in Room 108, First Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

7 The purpose of the prehearing conference is to resolve scheduling matters including establishing dates for distributing evidence and workpapers, to identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430.

8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

9 The names and mailing addresses of all known parties and their known representatives are as follows:

Applicant: Northwest Liquid Transport I, Inc.  
530 H Street Road  
Lynden, WA 98264  
(360) 354-7409

Representative: Lesa Starkenburg-Kroontje  
Attorney at Law, P.S.  
313 4<sup>th</sup> Street  
P.O. Box 231  
Lynden, WA 98264  
(360) 354-7822  
[starkenburgkroontje@msn.com](mailto:starkenburgkroontje@msn.com)

Protestant: Vanderveen Family Transport, Inc.  
5446 Allison Road  
Bellingham, WA 98226  
(360) 592-2387

Protestant: Sanitary Service Company, Inc.  
d/b/a Sanitary Service Company and  
Recycling Service  
1001 Roeder Avenue  
P.O. Box 1702  
Bellingham, WA 98227

Representative: Polly L. McNeill  
Summit Law Group PLLC  
315 Fifth Avenue S  
Suite 1000  
Seattle, WA 98104  
(206) 676-7000  
[pollym@summitlaw.com](mailto:pollym@summitlaw.com)

Protestant: Blaine-Bay Refuse, Inc.  
1001 Roeder Avenue  
Bellingham, WA 98227

Representative: Polly L. McNeill  
Summit Law Group PLLC  
315 Fifth Avenue S  
Suite 1000  
Seattle, WA 98104  
(206) 676-7000  
[pollym@summitlaw.com](mailto:pollym@summitlaw.com)

Commission: Washington Utilities and Transportation  
Commission  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

Representative: Michael A. Fassio  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1192  
[mfassio@utc.wa.gov](mailto:mfassio@utc.wa.gov)

10 Administrative Law Judge Patricia Clark, from the Commission's Administrative Law Division, will preside during this proceeding.

11 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective August 18, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER  
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary  
Washington State Utilities and  
Transportation Commission  
Richard Hemstad Building  
1300 S. Evergreen Park Drive S.W.  
P.O. Box 47250  
Olympia, WA 98504-7250  
(360) 664-1160

**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 State Utilities and Transportation Commission, Attention: David W. Danner, 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.: (\_\_\_\_) \_\_\_\_\_