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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

March 4, 2003

Via U.S. Mail

Mr. Lawrence J. Berg
Administrative Law Judge
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
Olympia, Washington 98504

***Re: Docket No. TG-021359
In re Application No. GA-079114 -Extension of Authority under
Certificate No. G-75 for Empire Disposal, Inc.***

Dear Mr. Berg:

This letter is provided in response to the request you made at the prehearing conference on January 23, 2003, for the above-identified matter, for a status report from the parties.

We are pleased to inform you that representatives for the protestant Waste Management of Washington, Inc. (WM) and for the applicant Empire Disposal, Inc. (Empire) met shortly after the prehearing conference, and achieved an agreement on the exact areas that are and should be served by each of the companies. Messrs. Schille and Lawhead subsequently coordinated with Commission staff, and Deb Reynolds prepared a map that has met with the parties' approval as an accurate reflection of their understanding about their respective territory rights.

The only remaining issue is implementation. The parties are working with staff to determine the most efficient procedural means of effectuating their agreement. It appears that Empire Disposal will be able to file an amendment to its application, but Waste Management will have to file a new application and perhaps a transfer as well. If so, it may be appropriate to consolidate the dockets. To my knowledge, a

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final decision on the procedural strategies has not yet occurred, but should be known sometime this week and appropriate applications submitted shortly thereafter.

If you have any questions, please do not hesitate to call or contact me.

Sincerely,

SUMMIT LAW GROUP PLLC



Polly L. McNeill

cc: James K. Sells
Donald T. Trotter
Bob Schille