

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

In re Application TG-091259 of	)	DOCKET TG-091259
	)	
WEST WASTE & RECYCLING, INC.	)	ORDER 01
	)	
For an Extension of Certificate No.	)	
G-251 for a Certificate of Public	)	ORDER OF CONSOLIDATION AND
Convenience and Necessity to Operate	)	NOTICE OF PREHEARING
Motor Vehicles in Furnishing Solid	)	CONFERENCE
Waste Collection Service	)	<b>(Set for October 12, 2009, 1:30 p.m.)</b>
	)	
.....	)	
	)	
In re Application TG-091019 of	)	DOCKET TG-091019
	)	
MURREY’S DISPOSAL COMPANY,	)	ORDER 01
INC., d/b/a OLYMPIC DISPOSAL	)	
	)	
For an Extension of Certificate No G-9	)	ORDER OF CONSOLIDATION AND
for a Certificate of Public Convenience	)	NOTICE OF PREHEARING
and Necessity to Operate Motor	)	CONFERENCE
Vehicles in Furnishing Solid Waste	)	<b>(Set for October 12, 2009, 1:30 p.m.)</b>
Collection Service	)	
	)	
.....	)	

1 On June 26, 2009, in Docket TG-091019, Murrey’s Disposal Company, Inc., d/b/a Olympic Disposal, filed with the Washington Utilities and Transportation Commission (Commission) an application for extension of authority under Certificate No. G-9, standing in the name of Murrey’s Disposal, Inc., d/b/a Olympia Disposal (Murrey’s Disposal), for authority to provide solid waste collection service in that portion of Section 12, T27 N.R. 10 W., within Jefferson County. Notice of the Application was published in the Commission's weekly Docket of July 6, 2009.

2 The Commission did not receive any protests in Docket TG-091019.

3 On August 5, 2009, within thirty days of the notice of the application in Docket TG-091019, West Waste & Recycling, Inc., filed with the Commission in Docket TG-091259, an application for extension of authority under Certificate No. G-251, standing in the name of West Waste & Recycling, Inc., for authority to provide solid waste collection service in that portion of Section 12, T, 27 N.R. 10W., within Jefferson County. Notice of the Application was published in the Commission's weekly Docket of August 7, 2009.

4 On August 17, 2009, Murrey's Disposal filed a protest to the application in Docket TG-091259.

5 On August 27, 2009, Washington Refuse and Recycling Association filed a petition to intervene in Docket TG-091259.

6 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 issues in the proceedings include 1) whether any existing Commission-certificated solid waste collection companies serving the territories sought in the applications of Murrey's Disposal Company, Inc. and West Waste & Recycling, Inc. are not providing service to the satisfaction of the Commission, and 2) whether the issuance of an amended certificate to West Waste & Recycling, Inc. and Murrey's Disposal Company, Inc., for the services they propose is necessary and is otherwise consistent with the public interest.

7 Inasmuch as the foregoing matters involve related principles of law and overlapping authority, it is appropriate that they be consolidated for hearing and determination pursuant to WAC 480-07-320 and WAC 480-70-111.

### **ORDER OF CONSOLIDATION**

8 THE COMMISSION ORDERS That these matters are consolidated for purposes of hearing and determination. The Commission reserves the right to hold separate hearings and to enter separate orders in the individual dockets as it deems appropriate.

**NOTICE OF PREHEARING CONFERENCE**

9 The statutes involved include those within RCW 81.04, RCW 81.28 and RCW 81.77, including but not limited to RCW 81.77.040 and RCW 34.05. Rules involved include those within WAC 480-70 and WAC 480-07.

10 **THE COMMISSION GIVES NOTICE That a prehearing conference in this matter will be held at 1:30 p.m., on Monday, October 12, 2009, in Room 206, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

11 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.

12 **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 in accordance with RCW 34.05.440 and WAC 480-07-450.**

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

Applicant: West Waste & Recycling, Inc.  
272 LaPush Rd.  
Forks, WA 98331  
(360) 374-5020

Representative: George Kargianis  
Attorney at Law  
Columbia Center  
701 Fifth Avenue, #4760  
Seattle, WA 98104  
(206) 624-5370  
[george@kargianislaw.com](mailto:george@kargianislaw.com)

Protestant: Murrey's Disposal Company, Inc.  
d/b/a Olympic Disposal  
P.O. Box 399  
Puyallup, WA 98371

Representative: David W. Wiley  
Williams, Kastner & Gibbs, PLLC  
P.O. Box 21926  
Seattle, WA 98111-3926  
(206) 628-2413  
[dwiley@williamskastner.com](mailto:dwiley@williamskastner.com)

Intervenor: Washington Refuse and Recycling Association  
4160 6<sup>th</sup> Avenue SE, Suite 205  
Lacey, WA 98503

Representative: James K. Sells  
Ryan Sells Uptegraft, Inc. P.S.  
9657 Levin Rd. NW, Suite 240  
Silverdale, WA 98383  
(360) 307-8860  
[jimsells@rsulaw.com](mailto:jimsells@rsulaw.com)

Applicant Murrey's Disposal Company, Inc.  
d/b/a Olympic Disposal  
P.O. Box 399  
Puyallup, WA 98371

Representative: David W. Wiley  
Williams, Kastner & Gibbs, PLLC  
P.O. Box 21926  
Seattle, WA 98111-3926  
(206) 628-2413  
[dwiley@williamskastner.com](mailto:dwiley@williamskastner.com)

14 Administrative Law Judge Dennis J. Moss, from the Utilities and Transportation Commission's Administrative Law Division, will preside during this proceeding.

15 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.

DATED at Olympia, Washington, and effective September 16, 2009.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER  
Executive Director and Secretary

Inquiries may be address to:

Executive Director and Secretary  
Washington 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**

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: David W. Danner, 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.: (\_\_\_\_) \_\_\_\_\_