BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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| In the Matter of Penalty Assessment Against RABANCO LTD. d/b/a ALLIED WASTE SERVICES OF KLICKITAT COUNTY in the Amount of $44,400 | DOCKET TG-091292COMMISSION STAFF’S RESPONSE TO ALLIED WASTE SERVICES’ APPLICATION FOR MITIGATION AND REQUEST FOR HEARING |

1. Pursuant to WAC 480-07-370(1)(c), Staff of the Washington Utilities and Transportation Commission (Commission Staff) submits this response to the Application for Mitigation and Request for Hearing filed by Rabanco Ltd. d/b/a Allied Waste Services of Klickitat County (Allied Waste).
2. The Commission assessed a penalty of $44,000 against Allied Waste on May 12, 2010, for multiple violations of WAC 480-70-236. On May 19, 2010, the Commission received from Allied Waste a letter requesting mitigation and a hearing, which was supplemented with an application for mitigation form on May 26, 2010. In these filings, Allied Waste admits the violations but sets forth no reasons in support of mitigation.
3. Commission Staff does not oppose the request for hearing but cannot respond substantively regarding mitigation until Allied Waste provides reasons in support of its mitigation request.

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DATED this 4th day of June, 2010.

Respectfully submitted,

ROBERT M. MCKENNA

Attorney General

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JENNIFER CAMERON-RULKOWSKI

Assistant Attorney General

Counsel for Washington Utilities and

Transportation Commission