

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Application No. GA-079133 of)	
)	DOCKET NO. TG -030325
MATTHEWS, TRYSTAN d/b/a)	
RECYCLE WHIDBEY)	
)	NOTICE OF PREHEARING
For a Certificate of Public)	CONFERENCE
Convenience and Necessity to)	(May 30, 2003)
Operate Motor Vehicles in)	
Furnishing Solid Waste Collection)	
Service)	
.....)	

- 1 On February 14, 2003, Trystan Matthews, d/b/a Recycle Whidbey, filed an application (No. GA-079133) for a certificate of public convenience and necessity to operate motor vehicles in furnishing solid waste collection service consisting of source-separated recyclable materials from residences in portions of Island County, generally the southern part of Whidbey Island. Notice of the Application was published in the Commission’s weekly Docket of March 24, 2003.

- 2 The issues in this proceeding include whether the issuance of a certificate to Recycle Whidbey for the service it proposes is necessary and is otherwise consistent with the public interest, and whether other carriers are authorized to serve in the territory requested. The Commission has jurisdiction over this matter under Title 81 RCW, which authorizes it to regulate persons seeking to furnish solid waste collection services under chapters 81.77 RCW and 480-70 WAC.

- 3 The statutes involved include those within chapter 81.04 RCW, chapter 81.28 RCW and chapter 81.77 RCW, including but not limited to RCW 81.77.040 and chapter 34.05 RCW. Rules involved include those within chapters 480-70 WAC and 480-09 WAC.

4 The Commission sets a prehearing conference to discuss preliminary matters, the hearing process, and to formulate the issues.

5 **NOTICE IS GIVEN That a prehearing conference in this matter will be held on Friday, May 30, 2003, beginning at 9:30 a.m., in Room 108, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** If you are unable to attend the prehearing conference in person, you may attend via the Commission's teleconference bridge line. Please call Kippi Walker at (360) 664-1139 to request this service.

6 NOTICE IS ALSO GIVEN THAT ANY PARTY WHO FAILS TO ATTEND OR PARTICIPATE IN THE HEARING SET HEREIN, OR OTHER STAGE OF THIS PROCEEDING, MAY BE HELD IN DEFAULT IN ACCORDANCE WITH THE TERMS OF RCW 34.05.440. THE PARTIES ARE FURTHER ADVISED THAT THE SANCTION PROVISIONS OF WAC 480-09-700(4) ARE SPECIFICALLY INVOKED.

7 Please see the form attached to this notice which should be filled out and returned if any party or witness needs an interpreter or other assistance. The names and mailing addresses of all parties and their known representatives are as follows:

Applicant: Trystan Matthews
d/b/a Recycle Whidbey
4907 Lakeside Drive
Langley, WA 98260
(360) 321-4480

Protestant: Washington Refuse & Recycling Association
4160 6th Avenue SE, Suite 205
Lacey, WA 98503

Representative: James Sells
Attorney at Law
Ryan Sells Uptegraft, Inc. P.S.
9657 Levin Road N.W., Suite 240
Silverdale, WA 98383
(360) 307-8860

Protestant: Island Disposal
P.O. Box 990
Coupeville, WA 98239

Representative: David W. Wiley
Attorney at Law
Williams, Kastner & Gibbs, PLLC
Two Union Square
601 Union Street, Suite 4100
Seattle, WA 98111-3926
(206) 233-2895

Commission Staff: Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Mary Tennyson
Senior Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
360-664-1220

8 The complete file is available for inspection during office hours at the Commission's Records Center in Olympia, Washington. 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.

9 Theodora M. Mace has been appointed as the Administrative Law Judge from the Utilities and Transportation Commission's Administrative Law Division, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250, and will preside at the prehearing conference.

DATED at Olympia, Washington, and effective this 8th day of May 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Secretary

NOTICE

PLEASE BE ADVISED that the hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and that 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 designated below and returned to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (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.: (____) _____