

May 3, 2004

**NOTICE OF OPPORTUNITY TO COMMENT  
ON CONSOLIDATION FOR HEARING  
(Due by Monday, May 10, 2004)**

RE: *Consolidated Applications of Harold LeMay Enterprises, Inc. and Kleen Environmental Technologies, Inc., Application Nos. GA-079251 and GA-079254, Docket Nos. TG-040221 and TG-040248; and*

*Application of Rubatino Refuse Removal, Inc., Application No. 79266, Docket No. TG-040553.*

TO ALL PARTIES:

On April 19, 2004, the Commission issued Order No. 01 , an Order of Consolidation and Prehearing Conference Notice in Docket Nos. TG-040221 and TG-040248, scheduling a prehearing conference in the consolidated proceeding for Thursday, May 20, 2004. Since that notice was issued, a third application for solid waste authority to transport biomedical waste filed by Rubatino Refuse Removal, Inc. has completed the protest period. Stericycle of Washington, Inc., has filed a protest in Docket No. TG-040553, and is also a protestant in consolidated Docket Nos. TG-040221 and TG-040248.

Although the territory requested in the application of Rubatino Refuse Removal, Inc. (Snohomish, Skagit and Whatcom counties) does not overlap the requested territory in the consolidated applications of Harold LeMay Enterprises, Inc. and Kleen Environmental Technologies, Inc., there may be some overlap in evidence presented during hearing. The Commission requests comments from the parties by Monday, May 10, 2004, addressing whether the Commission should consolidate these matters for hearing only, but not for determination, for the convenience of the parties and efficient use of resources.

Sincerely

ANN E. RENDAHL  
Administrative Law Judge