

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Penalty Assessment  
Against MERIDIAN  
TRANSPORTATION RESOURCES,  
LLC d/b/a MTR WESTERN, in the  
Amount of \$500

DOCKET NO. TE-070767

COMMISSION STAFF'S RESPONSE  
TO MTR WESTERN'S REQUEST  
FOR HEARING

1 Pursuant to WAC 480-07-370(1)(c), and to the Commission's Notice of Opportunity  
for Staff Response served June 5, 2007, Commission Staff submits this response to MTR  
Western's request for hearing.

2 On April 24, 2007, the Washington Utilities and Transportation Commission  
(Commission) assessed a penalty of \$500 against Meridian Transportation Resources, LLC  
d/b/a MTR Western (MTR Western) for one violation of 49 CFR § 382.301(a), which  
requires companies to ensure each driver receives a negative pre-employment controlled  
substances test result. The Commission received a statement in support of its request for  
hearing (Request for Hearing) from MTR Western on May 23, 2007.

3 While Staff does not oppose the company's Request for Hearing, Staff disputes the  
arguments made by MTR Western in support of the company's contention that the alleged  
violation did not occur. Staff's reasoning is set forth in the attached declaration of Leon  
Macomber.

DATED this 7th day of June, 2007.

Respectfully submitted,

ROBERT M. MCKENNA  
Attorney General

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Transportation Commission