

September 4, 2009

David W. Danner, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

Re: *In the Matter of Determining the Proper Carrier Classification of Glacier Recycle, LLC; Hungry Buzzard Recovery, LLC; and T&T Recovery, Inc.*
Docket No. TG-072226

Dear Mr. Danner:

Commission Staff hereby provides its individual status report as required by Judge Torem's April 15, 2009, Notice of Requirement to File Additional Status Report(s).

There is no change in Staff's position since its prior status report of April 8, 2009. The Commission has discretion to proceed either by rulemaking or by case-by-case adjudication to define activities that require a solid waste certificate versus those that require only a motor freight carrier permit. Staff recommends that the procedural schedule in this matter remain suspended pending the outcome of the still ongoing solid waste rulemaking in docket TG-080591, which may resolve the remaining issues in this case.

Counsel for the intervenors (Washington Refuse and Recycling Association; Waste Management of Washington, Inc.; Murrey's Disposal, Inc.; Island Disposal, Inc.; Waste Connections of Washington, Inc.; Lynnwood Disposal d/b/a Allied Waste of Lynnwood; and Eastside Disposal d/b/a Allied Waste of Bellevue) have indicated that they agree with Staff's position regarding continued suspension.

Sincerely,

JONATHAN C. THOMPSON
Assistant Attorney General

JCT/emd
cc: Parties