

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application No. GA-079176 of)	
)	DOCKET NO. TG -030811
NORTHLAND INVESTMENTS)	
LLC d/b/a CALL AND HAUL)	ORDER NO. 01
)	
For a Certificate of Public)	
Convenience and Necessity to)	FINAL ORDER DISMISSING
Operate Motor Vehicles in)	APPLICATION; CANCELLING
Furnishing Solid Waste Collection)	PREHEARING CONFERENCE
Service)	(November 17, 2003)
.....)	

- 1 On May 29, 2003, Northland Investments LLC, d/b/a Call and Haul, filed an application (No. GA-079176) for a certificate of public convenience and necessity to operate motor vehicles in furnishing solid waste collection service consisting of yard waste and construction and demolition debris in Spokane County. Notice of the Application was published in the Commission’s weekly Docket of September 2, 2003.

- 2 The issues in this proceeding include whether the issuance of a certificate to Northland Investments LLC 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 established November 17, 2003 as the date for a prehearing conference on the application. On November 12, 2003, the applicant filed a letter

withdrawing the application. See attached copy of letter. The basis for the withdrawal is stated as: "It is our position that numerous people operate similar businesses with-out (sic) being in violation of state law."

- 5 The Commission finds withdrawal of the application reasonable on the presumption that the applicant no longer desires to pursue the hauling operations that were the subject of the application. However, the Commission does not, by its acceptance of the withdrawal of application, in any way signal to the applicant that he may lawfully engage in such operations without prior Commission approval.

ORDER

THE COMMISSION ORDERS That the application of David Beste, Northland Investments, d/b/a Call and Haul, for solid waste authority, is hereby dismissed based on applicant's withdrawal of the application.

THE COMMISSION ALSO ORDERS That the prehearing conference scheduled for November 17, 2003 is cancelled.

DATED at Olympia, Washington, and effective this 13th day of November, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner

NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-09-810, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-09-820(1).