

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of)	DOCKET TG-120033
)	
WASTE MANAGEMENT OF)	
WASHINGTON, INC. D/B/A WM)	
HEALTHCARE SOLUTIONS OF)	NOTICE OF PREHEARING
WASHINGTON)	CONFERENCE
)	(Set for April 10, 2012,
For an Extension of Certificate G-237)	at 1:30 p.m.)
for a Certificate of Public Convenience)	
and Necessity to Operate Motor)	
Vehicles in Furnishing Solid Waste)	
Collection Service)	
.....)	

1 On December 30, 2011, Waste Management of Washington, Inc. (Waste Management), filed with the Washington Utilities and Transportation Commission (Commission) an application for an extension of authority under Certificate G-237, standing in the name of Waste Management of Washington, Inc., d/b/a WM Healthcare Solutions of Washington, for authority to provide solid waste collection service consisting of bio-hazardous waste in the state of Washington. Notice of the Application was published in the Commission’s weekly Docket on February 7, 2012.

2 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 81, and has legal authority to regulate persons seeking to furnish solid waste collection services under RCW 81.77 and WAC 480-70. The statutes that apply to this matter include RCW 80.01, RCW 81.04, RCW 81.28, and RCW 81.77, including but not limited to RCW 80.01.040, RCW 81.04.020, and RCW 81.77.040.

3 The Commission will hear this matter under the Administrative Procedure Act (APA), particularly Part IV of RCW 34.05 relating to adjudications. The provisions of the APA that relate to this proceeding include, but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.431, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission will also follow its procedural rules in WAC 480-07 in this proceeding.

4 The issues in this proceeding include whether the existing solid waste collection companies serving the territories sought in the application of Waste Management will not provide service to the satisfaction to the Commission and whether the issuance of

an amended certificate to Waste Management 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.

5 **THE COMMISSION GIVES NOTICE That it will hold a prehearing conference in this matter at 1:30 p.m., on April 10, 2012, in the Commission's Hearing Room, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.**

6 The purpose of the prehearing conference is to consider requests for intervention, resolve scheduling matters including establishing dates for distributing evidence and workpapers, to identify the issues in the proceeding and determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430. **In addition, the Commission will consider whether it would be an efficient use of Commission and party time and resources to consolidate this matter with Docket TG-112025.¹**

7 **INTERVENTION:** Persons who wish to intervene should file a petition to intervene in writing at least three business days before the date of the prehearing conference. *See* WAC 480-07-355(a). The Commission will consider oral petitions to intervene during the conference, but strongly prefers written petitions to intervene. Party representatives must file a notice of appearance with the Commission no later than the business day before the conference. *See* WAC 480-07-345(2). Any party or witness in need of an interpreter or other assistance should fill out the form attached to this notice and return it to the Commission. The Commission will set the time and place for any evidentiary hearings at the prehearing conference, on the record of a later conference or hearing session, or by later written notice.

8 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the prehearing conference set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

9 The names and mailing addresses of all known parties and their known representatives are as follows:

¹ *In the Matter of the Application of Spartan Environmental LLC, For a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Solid Waste Collection Service, Docket TG-112025.*

Applicant: Waste Management of Washington, Inc.
d/b/a WM Healthcare Solutions of Washington
Michael A. Weinstein
720 4th Avenue, Suite 400
Kirkland, WA 98033-8136
(425) 814-7840
mweinstein@wm.com

Representative: Polly L. McNeill
Jessica Goldman
Summit Law Group PLLC
315 Fifth Avenue S, Suite 1000
Seattle, WA 98104
(206) 676-7040
pollym@summitlaw.com
jessicag@summitlaw.com

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

Rubatino Refuse Removal, Inc.
2812 Hoyt Avenue
P.O. Box 1029
Everett, WA 98206-1029

Consolidated Disposal Services, Inc.
2370 Basin S.W.
P.O. Box 1154
Ephrata, WA 98823-1154

Murrey's Disposal, Inc.
P.O. Box 399
Puyallup, WA 98371

Pullman Disposal Service, Inc.
135 NW Harold
Pullman, WA 99163

Representative: James K. Sells
Attorney at Law
PMB 22
3110 Judson St.
Gig Harbor, WA 98335
(360) 981-0168
jamesells@comcast.net

Protestant: Stericycle of Washington, Inc.
20320 80th Avenue S.
Kent, WA 98032

Representatives: Stephen B. Johnson
Jared Van Kirk
Garvey Schubert Barer
1191 Second Avenue, Suite 1800
Seattle, WA 98101
(206) 464-3939
sjohnson@gsblaw.com
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- 10 An administrative law judge from the Commission's Administrative Law Division, will preside during this proceeding.
- 11 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective March 16, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, 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.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket : _____

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.: (____) _____