

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of

PNW COMPOSTS, INC.,

For Authority to Operate as a Solid  
Waste Collection Company in  
Washington

DOCKET TG-230798

NOTICE OF VIRTUAL  
PREHEARING CONFERENCE  
(Set for November 30, 2023, at 1:30  
p.m.)

- 1 **APPLICATION:** On September 29, 2023, PNW Composts Inc., (PNW Composts or Applicant) filed with the Washington Utilities and Transportation Commission (Commission) an application for authority to operate as a solid waste collection company in Washington (Application), and on October 4, 2023, the Commission issued a notice of pending application, allowing affected parties 30 days to protest the Application.
- 2 **PROTEST.** On October 16, 2023, Waste Connections of Washington, Inc. and Waste Control, Inc. (Waste Connections or Protestants), filed a protest to the Application. On November 3, 2023, the Washington Refuse and Recycling Association (WRRRA), filed a petition to intervene. WRRRA's petition suggests that it expects to support the Protestants.
- 3 **STATUTORY AUTHORITY:** The Commission has jurisdiction over this matter under RCW Title 80 and RCW Title 81, and has legal authority to regulate solid waste collection companies in the state of Washington. The statutes that apply to this matter include RCW 80.01, RCW 80.04, and RCW 81.77, including but not limited to RCW 80.01.040, RCW 80.04.020, RCW 81.77.020 and RCW 81.77.040. The rules that apply to this matter include those within Washington Administrative Code (WAC) 480-07 and 480-70, relating to solid waste collection companies.
- 4 **PROCEDURES:** 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.
- 5 The Commission finds there is good cause to hear this matter on shortened notice. *See* WAC 480-07-440(1)(a) and RCW 34.05.434.

- 6 **THE COMMISSION GIVES NOTICE** That it will hold a virtual prehearing conference in this matter at 1:30 p.m. on November 30, 2023. To participate by phone, call (253) 215-8782 and enter the Meeting ID: 896 4644 1078# and Passcode: 593067#. To participate via Zoom, [click here to join meeting](#).<sup>1</sup>
- 7 **PURPOSE:** The purpose of the prehearing conference is to consider requests for intervention, to resolve scheduling matters including establishing dates for distributing evidence, to identify the issues in the proceeding, and to determine other matters to assist the Commission in resolving the matter, as listed in WAC 480-07-430. The Commission will set the time and place for the evidentiary hearings at the prehearing conference or by later written notice.
- 8 **INTERVENTION:** Persons seeking to intervene in the proceeding must file written petitions to intervene at least three business days before the date of the prehearing conference. See WAC 480-07-355(a).
- 9 **NOTICE OF APPEARANCE; INTERPRETER:** Party representatives must file notices of appearance with the Commission, as required by WAC 480-07-345(2), no later than the day before the conference. If any party needs an interpreter or other assistance, they should fill out the form attached to this notice and return it to the Commission.
- 10 **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.**
- 11 The names and mailing addresses of all known parties and their known representatives are as follows:

Applicant: PNW Composts Inc.  
220 George Taylor Rd.  
Silver Lake, WA 98645  
(503) 975-6435  
[pnwcomposts@gmail.com](mailto:pnwcomposts@gmail.com)

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<sup>1</sup> <https://utc-wa-gov.zoom.us/j/89646441078?pwd=ITZFawbsYUQRfCD6sK86m8a4tyInsS.1>

Representative: Nathan Scott  
Derek Scott  
220 George Taylor Rd  
Silver Lake, WA 98645  
(503) 975-6435  
[pnwcomposts@gmail.com](mailto:pnwcomposts@gmail.com)

Protestants: Waste Connections of Washington, Inc.  
9411 NE 94<sup>th</sup> ,  
Vancouver, WA 98662  
(509) 547-2476

Waste Control, Inc.  
PO Box 148  
Kelso, WA 98626

Representative: David W. Wiley  
Sean D. Leake  
Williams, Kastner & Gibbs PLLC  
601 Union St., Ste. 4100  
Seattle, WA 98101-2380  
(206) 628-6600  
[dwiley@williamskastner.com](mailto:dwiley@williamskastner.com)  
[sleake@williamskastner.com](mailto:sleake@williamskastner.com)

Commission: Washington Utilities and Transportation  
Commission  
P.O. Box 47250  
Olympia, WA 98504

Representative: Jeff Roberson  
Assistant Attorney General  
P.O. Box 40128  
Olympia, WA 98504  
(360) 709-4852  
[jeff.roberson@atg.wa.gov](mailto:jeff.roberson@atg.wa.gov)

- 12 Administrative Law Judge Bijan Hughes from the Commission’s Administrative Law Division will preside during this proceeding.<sup>2</sup>
- 13 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 Lacey, Washington, and effective November 21, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Kathy Hunter  
Acting Executive Director and Secretary

**NOTICE**

Hearings are accessible to persons with disabilities and persons who do not speak English as a first language. If limited English-speaking or 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 provide the information requested below via email to Paige Doyle, paralegal, at [paige.doyle@utc.wa.gov](mailto:paige.doyle@utc.wa.gov):

(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:

\_\_\_\_\_  
<sup>2</sup> Judge Hughes can be reached by email at [bijan.hughes@utc.wa.gov](mailto:bijan.hughes@utc.wa.gov) or by phone at (360) 664-1254.

Visual \_\_\_\_\_

Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_