

SERVICE DATE  
OCT 31 1990

NOTE: An important notice to parties appears at the end of this order.

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND	)	
TRANSPORTATION COMMISSION,	)	
	)	
Complainant,	)	DOCKET NO. TG-900657
	)	
vs.	)	
	)	
SNO-KING GARBAGE CO., INC.	)	
G-126,	)	
	)	
Respondent.	)	
.....	)	
	)	
WASHINGTON UTILITIES AND	)	
TRANSPORTATION COMMISSION,	)	
	)	
Complainant,	)	DOCKET NO. TG-900658
	)	
vs.	)	THIRD SUPPLEMENTAL ORDER
	)	
NORTHWEST GARBAGE CO., INC.	)	INTERLOCUTORY ORDER
G-43,	)	GRANTING MOTION TO
	)	INTERVENE
Respondent.	)	
.....	)	

On June 29, 1990, each of the respondents filed with the Commission revisions in their tariffs which would increase rates and charges for solid waste collection services within their respective service territories. Thereafter, the Commission suspended the respective filings, pending investigation as to their reasonableness. These filings involve common questions of law and fact and were consolidated by order dated August 15, 1990. This order also set the opening hearing for September 10, 1990 at 1:30 p.m. at the Heritage Plaza Building in Olympia. The order includes the following language:

THE COMMISSION INTENDS TO INVOKE AND WILL FOLLOW THE PROCEDURES SET FORTH IN WAC 480-09-430. NO INTERVENTION WILL BE PERMITTED EXCEPT AT THE OPENING HEARING SCHEDULED HEREIN.

On September 10, 1990, the opening session was convened and motions to intervene were heard by the undersigned Administrative Law Judge. At that time, the Petition for Intervention of the King County Solid Waste Division was considered. The Petition and its cover letter stated, among other things, that respondents provide garbage service in residential areas in King County. In addition, King County had prepared a Comprehensive Solid Waste Management Plan in accordance with Chapter 70.95 RCW and that garbage and recycling rate issues might affect implementation of the plan. The petition was denied due to failure by the petitioner to present enough information to demonstrate a sufficient interest in this matter. In the alternative, the petitioner was designated "an interested person" for purposes of this proceeding.

By letter dated October 4, 1990, counsel for the King County Solid Waste Division filed an Amended Petition to Intervene. The petition indicates, in part, that the nature of the petitioner's interest is limited to receipt and review of written and oral testimony and exhibits entered in this cause; that it does not intend to expand the proceedings beyond issues raised by the Commission and the respondents; and that petitioner does not intend to submit or sponsor witnesses or exhibits, or conduct cross-examination. The petitioner may submit a post-hearing brief.

The other parties in this matter were given an opportunity to comment on the petition. The only comments which were received came from the Rabanco Companies which indicated no objection to the petition to intervene.

DECISION

It is concluded that petitioner has demonstrated a substantial interest in this matter and that the petition to intervene should be granted pursuant to WAC 480-09-430. The material submitted after the opening hearing will be considered as a supplement to the original petition to intervene. The additional material shows that the petitioner has a substantial interest in the subject matter of the hearing. As this is not a late-filed petition to intervene, it is not precluded by the limitation on intervention language of the order setting the opening hearing.

O R D E R

WHEREFORE, IT IS HEREBY ORDERED That the Petition to Intervene of the King County Solid Waste Division shall be, and the same is hereby, granted.

DATED at Olympia, Washington, and effective this 31st day of October, 1990.

OFFICE OF ADMINISTRATIVE HEARINGS

*Rosemary Foster*  
ROSEMARY FOSTER  
Administrative Law Judge

**NOTICE TO PARTIES:** Review of this interlocutory order may be available under WAC 480-09-760.