

January 12, 2011

**NOTICE OF STATUS CONFERENCE  
AND INTENT TO CONSIDER REOPENING DOCKET**

RE: *In the Matter of Determining the Proper Carrier Classification of Glacier Recycle, LLC; Hungry Buzzard Recovery, LLC; and T&T Recovery, Inc., Docket TG-072226*

TO ALL PARTIES:

The Washington Utilities and Transportation Commission (Commission) entered Order 08, *Final Order Approving and Adopting MultiParty Settlement Agreement Subject to Condition; Authorizing and Requiring Compliance Filings*, in this docket on July 9, 2010. Among other things, the Order granted Respondent Companies a temporary exemption to Washington Administrative Code 480-70-016(1). Under the terms of Order 08, ¶ 36, that temporary exemption was to expire 30 days after the effective date of the final adoption resolution in the Commission's solid waste rulemaking, Docket TG-080591. *See* Order 08, ¶ 36.

On November 17, 2010, Governor Gregoire signed Executive Order 10-06 directing state agencies to suspend development and adoption of non-critical rules until December 31, 2011. On December 9, 2010, the Commission determined, based on guidelines for implementing the Executive Order provided by the Office of Financial Management, to close the solid waste rulemaking proceeding in Docket TG-080591 without taking further action. In its letter to stakeholders, the Commission noted that it may revisit the proposed new solid waste rules in 2012.<sup>1</sup>

The Final Order in this matter assumed that the solid waste rulemaking, initially undertaken in April 2008, would eventually be completed and result in adoption of new solid waste rules resolving the temporary exemption granted to Respondent Companies. With the closing of Docket TG-080591, the temporary exemption awarded in Order 08 cannot expire in due course as originally expected.

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<sup>1</sup> Solid Waste Definitions Rulemaking, Docket TG-080591, Notice of Withdrawal of Rulemaking (December 9, 2010).

The Commission will conduct a status conference next month and requests that the parties confer in advance to consider recommendations to the Commission on whether further process is required in this docket and, if so, the nature, timing, and substance of those procedural steps.

**THE COMMISSION GIVES NOTICE THAT it will conduct a status conference in this proceeding in Olympia on Tuesday, February 8, 2011, at 1:30 p.m., in Room 108 of the Commission's headquarters, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** Parties who find it more convenient to attend telephonically may participate via the Commission's teleconference bridge line at **(360) 664-3846.**

Thank you for your ongoing attention to this important matter,

Sincerely,

ADAM E. TOREM  
Administrative Law Judge