

November 14, 2003

**NOTICE OF SUSPENSION
OF PROCEDURAL SCHEDULE
(until Thursday, January 8, 2004)**

**NOTICE OF PREHEARING CONFERENCE
(Set for Thursday, January 8, 2004, 1:30 p.m.)**

RE: In re Application No. GA-079178 of Blaine-Bay Refuse, Inc. For Extension of Authority Under Certificate No. G-145, for a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Solid Waste Collection Service, Docket No. TG-030831.

TO ALL PARTIES:

On October 31, 2003, Blaine-Bay Refuse filed a Motion to Amend Order M.V.G. No. 656 (Motion to Amend) in this proceeding. I requested that the parties confer and consider how to handle the motion in terms of the current procedural schedule, that calls for the filing of testimony on historical issues by November 17, 2003.

On November 12, 2003, counsel for Commission Staff responded by email on behalf of all the parties to the proceeding. The parties suggest that the proper approach for handling the Motion to Amend would be to assign the Motion to Amend a separate docket number, since it is seeking relief in a prior docket. The parties further suggest that the issues raised in the Motion to Amend should be resolved first, before proceeding with the issues in this docket. Finally, the parties recommend that the Commission suspend the procedural schedule in this docket, pending the resolution of the Motion to Amend.

The Motion to Amend is brought under RCW 81.04.200, Rehearing before commission, WAC 480-09-820, Rehearing or reopening, and WAC 480-90-815 Amendment, rescission or correction of order. Although the matter is related to Docket No. TG-030831, Application for Extension of Authority, and the issues associated with the Motion to Amend were to be addressed in the historical phase of the instant proceeding, the Commission finds it appropriate to assign

the Motion to Amend a separate docket number, Docket No. TG-031817, since it is a separate matter from the Application for Extension of Authority. The Motion to Amend will be published on the Commission's weekly docket to provide the opportunity for protests or interventions.

When the Commission has determined the parties in Docket No. TG-031817, the Motion to Amend proceeding, it will notify the parties of a prehearing conference to be held the same day as the prehearing conference in this proceeding, Thursday January 8, 2004. Matters to be discussed at the prehearing conference will include among other things, setting a date for responses to the Motion to Amend, consolidation of the dockets, use of the documents in Hearing GA-405 that were marked for identification in Docket No. TG-030831, and resumption of the procedural schedule in Docket No. TG-030831.

The Commission finds that the process described above provides a reasonable plan for addressing the issues in the Motion to Amend and in this proceeding. It appears that resolution of the issues in the Motion to Amend will impact the course of the proceeding in this docket, and that the issues in the Motion to Amend should be resolved first. Accordingly, the Commission suspends until January 8, 2004, the procedural schedule set forth in Docket No. TG-030831, Order No. 1, Prehearing Conference Order, dated October 15, 2003.

PLEASE TAKE NOTICE that a prehearing conference will be held on Thursday, January 8, 2004, beginning at 1:30 p.m., in Room 108, Chandler Plaza Building, 1300 S. Evergreen Park Drive SW, Olympia, Washington to discuss, among other things, the resumption of the procedural schedule in this proceeding. The conference bridge, (360) 664-3846, will be available for those persons who wish to participate by telephone.

Sincerely,

KAREN M. CAILLÉ
Administrative Law Judge