



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • www.utc.wa.gov

December 8, 2014

NOTICE OF OPPORTUNITY TO REPLY
(By Friday, December 12, 2014)

RE: *In the Matter of Determining the Proper Carrier Classification of and Complaint for Penalties Against McAuliffe Auto Sales, Inc. d/b/a Maltby Container & Recycling*, Docket TG-120308; and

In the Matter of the Penalty Assessment Against McAuliffe Auto Sales, Inc. d/b/a Maltby Container & Recycling, Docket TG-140512 (consolidated)

TO ALL PARTIES:

On April 1, 2014, the Washington Utilities and Transportation Commission (Commission) issued a penalty in the amount of \$27,100 against McAuliffe Auto Sales, Inc. d/b/a Maltby Container (Maltby Container) in Docket TG-140512. In addition, on April 2, 2014, the Commission issued a Notice of Intent to Impose Suspended Penalty in Docket TG-120308.

On May 14, 2014, the Commission consolidated Dockets TG-120308 and TG-140512 and set the matter for hearing. On July 10, 2014, the Commission granted the motions for intervention of three additional parties, the Washington Refuse and Recycling Association, Waste Management of Washington, Inc., and Lauts, Inc. d/b/a Lautenbach Industries, Inc.

On November 25, 2014, Commission Staff (Staff) filed a settlement agreement on behalf of Staff and Maltby Container (Settlement Agreement) and requested the Commission suspend the procedural schedule.

On November 26, 2014, the Commission issued a Notice Suspending Procedural Schedule and Notice of Opportunity to Respond to Settlement Agreement to allow the intervening parties to file comments. On December 4, 2014, all three interveners responded to the Settlement Agreement.

The parties to the Settlement Agreement – Staff and Maltby Container – may reply to those responses by December 12, 2014.

THE COMMISSION GIVES NOTICE That the parties to the Settlement Agreement may reply to the Interveners' responses to the Settlement Agreement by December 12, 2014.

GREGORY J. KOPTA
Administrative Law Judge