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STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

BEFORE THE WASHINGTON UTILITIES  
AND TRANSPORTATION COMMISSION

In re Application No. GA-079133 of

MATTHEWS, TRYSTAN d/b/a  
RECYCLE WHIDBEY,

For a Certificate of Public Convenience  
and Necessity to Operate Motor  
Vehicles in Furnishing Solid Waste  
Collection Service.

DOCKET NO.: TG-030325

RESPONSE OF PROTESTANT  
WASHINGTON REFUSE AND  
RECYCLING ASSOCIATION TO  
MOTION FOR CONTINUANCE

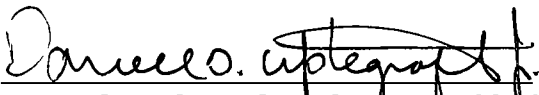
COMES NOW PROTESTANT, WASHINGTON REFUSE AND RECYCLING  
ASSOCIATION ("WRRRA"), and responds to Applicant's Request for  
Continuance as follows:

Protestant objects to a continuance of this hearing. It was made clear  
to applicant at the Prehearing Conference that if he was going to retain an  
attorney he needed to do so quickly, and that last minute requests for a  
continuance would be met with disfavor. Applicant should have dealt with  
this issue long before now.

Protestant's witness is unavailable for virtually all of August 2003 and  
plans have already been changed to accommodate the existing date. Counsel  
also is unavailable for most of August 2003 by reason of a multi-day trial set  
to start August 25, 2003, in Kitsap County Superior court, and a summary  
judgment motion in Mason County is currently set for July 28, 2003.

1 Counsel if not available July 18, 2003, because of another summary  
2 judgment hearing. Thus the only possible dates that will allow attendance by  
3 counsel and WRRRA's one witness are July 24 and 25, 2003.

4 Respectfully submitted,

5   
6 JAMES K. SELLS, WSBA No. 6040  
7 Attorney for Protestant Washington  
8 Refuse and Recycling Association

for:  
#13285

9 CERTIFICATE OF SERVICE

10 I hereby certify and swear under penalty of perjury of the laws of the  
11 State of Washington that that on this day a true copy of the foregoing  
12 **Response of Protestant Washington Refuse and Recycling Association to**  
13 **Motion for Continuance** was served by first class mail, postage prepaid, on:

14 Honorable Theodora M. Mace  
15 Administrative Law Judge  
16 UTC Administrative Law Division  
17 1300 S. Evergreen Park Dr. S.W.  
18 Olympia, WA 98504-7250

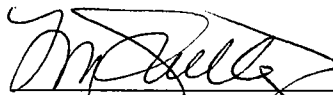
Trystan Matthews  
d/b/a Recycle Whidbey  
4907 Lakeside Drive  
Langley, WA 98260

19 Mary M. Tennyson  
20 Sr. Asst. Attorney General  
21 P. O. Box 40128  
22 Olympia, WA 98504

Mr. David W. Wiley, Attorney at Law  
Williams, Kastner & Gibbs, PLLC  
Two Union Square  
601 Union Str., Ste. 4100  
Seattle, WA 98111-3926

23 Washington Utilities &  
24 Transportation Commission  
25 P.O. Box 47250  
Olympia, WA 98405-0128

26 DATED this 7<sup>th</sup> day of July, 2003, at Silverdale, Kitsap County,  
27 Washington.

28   
29 Terre M. Skelly