

[Service Date November 24, 2003]

November 24, 2003

**REQUEST FOR COMMENTS AND INFORMATION
(December 9, 2003)**

RE: In re Application No. GA-079114 - Extension of Authority under Certificate No. G-75 for Empire Disposal, Inc., Docket No. TG-021359.

TO ALL PARTIES:

On October 13, 2003, counsel for Empire Disposal filed a letter with the Commission amending the text of the extension sought in Application GA-79114 filed in this docket. On November 5, 2003, counsel for Waste Management of Washington, Inc. (Waste Management) explained that the parties have resolved the territorial issues raised in the application, and stated that Waste Management withdraws its protest to the application.

Given the agreement of the parties concerning Application GA-79114, I would like to resolve this matter quickly. In order to do so, I request responses from the parties to the following questions by **December 9, 2003**:

- (1) Do the parties waive the provision in RCW 34.05.461(1)(a) for an initial order entered by the presiding officer, allowing the matter to proceed directly to a final Commission order based upon a paper record?
- (2) Given the changes to Certificate G-75 held by Empire Disposal in orders recently entered in Docket No. TG-030686, an application of Empire Disposal to transfer a portion of its operating authority to Waste Management, and Docket No. TG-030687, an application of Waste Management to transfer a portion of its operating authority to Empire Disposal, do the parties have a preference for the language appearing in Certificate G-75 if Application GA-79114 were granted? If so, please include such language as a separate attachment to your response to this notice.

Sincerely,

ANN E. RENDAHL
Administrative Law Judge