



**BACKGROUND**

- 1 On August 22, 2003, the Commission entered its order authorizing transfer and canceling Certificate No. G-41 from Rabanco Connections International, Inc., to Rabanco, Ltd. (Docket No. TG-030433), authorizing transfer and canceling Certificate No. G-235 from Northwest Waste Industries, Inc., to Rabanco Ltd. (Docket No. TG-030434), and authorizing transfer and reissuing Certificate No. G-12 from Rabanco Ltd. & Rabanco Recycling, Inc., to Rabanco Ltd. (Docket No. TG-030590).
- 2 On September 29, 2004, King County filed a Petition to Amend Orders in the above matters. The petition requests that all certificates of public convenience and necessity be transferred to Rabanco, Ltd. as separate certificates for each county in which Rabanco, Ltd. is authorized to collect waste under G-12, rather than consolidated as Certificate G-12.
- 3 The Commission convened a prehearing conference on the applications on November 23, 2004, before Administrative Law Judge C. Robert Wallis.
- 4 The parties agreed that an issue before the Court of Appeals and the issue before the Commission both involve RCW 36.58.040, and agreed to continue the proceeding until a Court of Appeals decision was made.
- 5 On February 15, 2005, Division I of the Court of Appeals ruled in favor of King County that a G-certificate issued for collection routes in multiple counties does not require the affected counties to enter into an interlocal agreement unless a collection route crosses county lines.
- 6 On March 28, 2005, King County filed a motion to dismiss its petition for an order amending Orders TG-030433, TG-030434, and TG-030590. Both the respondent and the Commission Staff both support the request for dismissal.

ORDER

7 THE COMMISSION ORDERS That the petition to amend orders filed by King County in Docket Nos. TG-030433, TG-030434, and TG-030590, is dismissed.

DATED at Olympia, Washington, and effective this 12th day of April, 2005

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner

**NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-07-850, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-07-870.**