

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In re Application No. GA-079178 of)	
)	DOCKET NO. TG-030831
)	
BLAINE-BAY REFUSE, INC.)	
)	ORDER NO. 02
For Extension of Authority Under)	
Certificate No. G-145, for a)	ORDER OF DISMISSAL
Certificate of Public Convenience)	
and Necessity to Operate Motor)	
Vehicles in Furnishing Solid Waste)	
Collection Service)	
)	
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- 1 **Background:** On June 2, 2003, Blaine-Bay Refuse, Inc. (Blaine-Bay), filed an Application 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 between Drayton Harbor Road and Drayton Harbor; Semiahmoo Drive and Drayton Harbor; Semiahmoo Drive and Semiahmoo Bay; Birch Point Road and Birch Bay; Birch Bay Drive and Birch Bay; and on Point Whitehorn between the land located north of Grandview Road extended west to the Strait of Georgia and shoreland of Birch Bay. This proceeding was docketed as Docket No. TG-030831.

- 2 On October 31, 2003, Blaine-Bay filed a Motion to Amend Order M.V. G. No. 656, the order under which Blaine-Bay has been serving for the past 30 years, and that it believed included those areas listed in Paragraph 1 above. The motion requested that the Commission amend a 1974 solid waste certificate of authority to conform with the evidence in the record of Hearing No. GA-405. The motion to amend was docketed as Docket No. TG-031817.

- 3 On November 17, 2003, the Commission suspended the procedural schedule in Docket No. TG-030831, having determined that the issues in the motion to amend docket, Docket No. TG-031817, should be resolved prior to the issues in application for extension docket, Docket No. TG-030831. The parties acknowledged that a decision on the motion to amend could eliminate the need to go forward with the application for extension.
- 4 On June 15, 2004, Administrative Law Judge Karen M. Caillé entered an Initial Order in Docket No. TG-031817. The Initial Order proposed to grant Blaine-Bay's motion to amend a 1974 solid waste certificate of authority to conform with the evidence in the record of Hearing No. GA-405. The territory included in the amendment granted by the Initial Order would encompass the areas for which Blaine-Bay seeks extension of authority in Docket No. TG-030831.
- 5 On July 21, 2004, the Commission entered an order affirming the Initial Order.
- 6 On August 16, 2004, Blaine-Bay filed a letter with the Commission withdrawing the application for extension filed under Docket No. TG-030831.
- 7 **Commission Discussion and Decision:** The Washington Utilities and Transportation Commission has jurisdiction over the parties and the subject matter of this proceeding. Blaine-Bay asks to withdraw the application that is the subject of this proceeding. Issues regarding the territory for which Blaine-Bay sought an extension of its application have been resolved in Docket No. TG-031817. Accordingly, it is consistent with the public interest to dismiss the application.

ORDER

- 8 The request to withdraw the application for extension filed by Blaine-Bay Refuse, Inc. is granted.

9 This matter is dismissed and this docket should be closed.

DATED in Olympia, Washington, and effective this 25th day of August, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

PATRICK J. OSHIE, 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.