

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

|   |   |                             |
|---|---|-----------------------------|
| In re Application No. GA-78900 of           | ) |                             |
|   | ) | DOCKET NO. TG-000584        |
| TRASH HUSTLERS, L.L.C.,                     | ) |                             |
|   | ) | NOTICE OF PREHEARING        |
| for a Certificate of Public Convenience and | ) | CONFERENCE                  |
| Necessity to Operate Motor Vehicles in      | ) | <b>(August 8, 2000)</b>     |
| Furnishing Solid Waste Collection Service.  | ) |                             |
|   | ) | NOTICE OF HEARING           |
|   | ) | <b>(August 16-17, 2000)</b> |
| .....                                       | ) |                             |

On April 12, 2000, Trash Hustlers, L.L.C., filed an application (number GA-78900) for a Certificate of Public Convenience and Necessity to Operate Motor Vehicles in Furnishing Solid Waste Collection Service. The application seeks the following authority:

Solid Waste Collection Service consisting of loose material, bulky material and/or heavy items of refuse or recyclables, furniture, appliances, yard waste, and construction debris in Yakima County. Service conducted under the certificate sought would be restricted:

- 1) To unscheduled or on-call service.
- 2) To the use of hydraulic dump-equipped vehicles with a GVWR of 23,000 pounds or less.
- 3) Against service with drop boxes and/or containers.
- 4) Against the collection of chemicals, hazardous wastes, biohazardous wastes and biomedical wastes.
- 5) To carry-out and hand-loaded service from customer premises.

Notice of the application was published in the Commission’s weekly Docket of April 24, 2000.

Applicant has filed proposed tariffs and schedules setting forth the conditions under which it intends to serve the areas involved in the authority sought and applicant’s justification for the proposed service. The complete file is available for inspection during office hours at the Commission’s Records Center in Olympia, Washington.

Hearing in this matter is being held pursuant to Part IV of chapter 34.05 RCW pertaining to Adjudicative Proceedings, including but not limited to RCW 34.05.422, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission has jurisdiction over this matter under

Title 81 RCW, having legal authority to regulate the rates, services, and practices of solid waste collection companies pursuant to chapter 81.77 RCW. Statutes involved, in addition to those previously cited, include those within chapter 81.04 RCW, and chapter 81.28 RCW relating to rates, contracts, and services, including but not limited to RCW 81.04.250, RCW 81.28.010, RCW 81.28.040, RCW 81.28.050, RCW 81.28.080, RCW 81.28.180, RCW 81.28.190, RCW 81.28.230, RCW 81.77.030, and RCW 81.77.070. Rules involved include those within chapter 480-70 WAC. Also involved are rules within chapter 480-09 WAC relating to practice and procedure. The ultimate issues involved are whether granting the application would be consistent with the foregoing rules and statutes and otherwise consistent with the public interest.

### **PREHEARING CONFERENCE:**

NOTICE IS HEREBY GIVEN that, in accordance with WAC 480-09-700(1)(a), the Commission has determined that good cause exists for this matter to be heard upon shortened notice.

NOTICE IS FURTHER GIVEN That a prehearing conference will be held at **9:30 a.m., on Tuesday, August 8, 2000**, in Room 108, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. If you are unable to attend the prehearing conference in person, you may attend via the Commission's teleconference bridge line. Please call Jennifer Watsek at (360) 664-1139 to request this service. Due to the limited number of conference ports available, service will be limited to the first twelve people requesting the service.

The purpose of the prehearing conference is to consider formulating the issues in the proceeding, and to determine other matters to aid in its disposition, as specified in WAC 480-09-460. Petitions to intervene should be made in writing prior to that date or made orally at that time. Appearances will be taken.

### **HEARING:**

NOTICE IS HEREBY GIVEN that the evidentiary hearing in this proceeding will be held beginning at **9:00 a.m., on Wednesday, August 16, 2000 and Thursday, August 17, 2000, at the Office of the Attorney General, 120 So. 3<sup>rd</sup> Street, Suite 100, Yakima, Washington.** Parties and their witnesses should arrive promptly at the indicated time and place prepared with exhibits for pre-marking and with estimates of cross-examination time anticipated for each witness. Pre-filing requirements and other matters involving the evidentiary hearing will be addressed at the prehearing conference.

Notice of any other procedural phase will be given in writing or on the record as the Commission may deem appropriate during the course of the proceeding.

Please see the form attached to this notice which should be filled out and returned if any party or witness needs an interpreter or other assistance.

NOTICE IS GIVEN THAT ANY PARTY WHO FAILS TO ATTEND OR PARTICIPATE IN THE HEARING SET HEREIN, OR OTHER STAGE OF THIS PROCEEDING, MAY BE HELD IN DEFAULT IN ACCORDANCE WITH THE TERMS OF RCW 34.05.440. THE PARTIES ARE FURTHER ADVISED THAT THE SANCTION PROVISIONS OF WAC 480-09-700(4) ARE SPECIFICALLY INVOKED.

The names and mailing addresses of all parties and their known representatives are shown on the Service List, attached as Appendix A.

Ann E. Rendahl has been designated as the Administrative Law Judge from the Utilities and Transportation Commission's Administrative Law Section, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250, and will preside at the prehearing conference and evidentiary hearing.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

July \_\_\_\_, 2000

CAROLE J. WASHBURN  
Executive Secretary

Inquires should be addressed to:  
Secretary  
Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
P. O. Box 47250  
Olympia, WA 98504-7250  
(360)664-1160

## APPENDIX "A"

### APPLICANT:

Trash Hustlers, L.L.C.  
4110 E. Hillcrest Dr.  
Yakima, WA 98901  
(509) 452-5177

### PROTESTANTS:

Washington Refuse & Recycling Assoc.  
P.O. Box 1486  
Olympia, WA 98507-1486  
(360) 943-8859

Yakima Waste Systems  
1812-1/2 Terrace Heights Dr.  
Yakima, WA 98901  
(509) 248-4213

Mr. and Mrs. Cecil Bronkhorst  
Country Garbage Service  
1301 Waneta Road  
Grandview, WA 98930

### COMMISSION STAFF:

Mary Tennyson  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P. O. Box 40128  
Olympia, WA 98504-0128  
(360)664-1188

### COUNSEL FOR APPLICANT:

R. Blair Strong  
PAINE HAMBLÉN COFFIN BROOKE  
MILLER  
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Spokane, WA 99201-3505  
(509) 455-6000

### COUNSEL FOR PROTESTANTS:

James Sells  
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Jack R. Davis  
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(360) 279-1079

William H. Grady  
Attorney at Law  
2200 Alaskan Way, Suite 110  
Seattle, WA 98121-1684  
(206) 622-4067

## NOTICE

PLEASE BE ADVISED that the hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and that if limited English-speaking or hearing impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be designated below and returned to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, Secretary, 1300 S. Evergreen Park Drive S.W., P. O. Box 47250, Olympia, WA 98504-7250. (SUPPLY ALL REQUESTED INFORMATION)

Hearing No.: \_\_\_\_\_

Case Name: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Hearing Location: \_\_\_\_\_

Primary Language: \_\_\_\_\_

Hearing Impaired (Yes) \_\_\_\_\_ (No) \_\_\_\_\_

Do you need a certified sign language interpreter:

Visual \_\_\_\_\_ Tactile \_\_\_\_\_

Other type of assistance needed: \_\_\_\_\_

English-speaking person who can be contacted if there are questions:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone No.: (\_\_\_\_) \_\_\_\_\_