

[Service Date December 27, 2002]

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In re Application No. GA-079113 of)	
)	DOCKET NO. TG-021358
EMPIRE DISPOSAL, INC.)	
)	
For Authority to Transfer a Portion)	NOTICE OF PREHEARING
of Rights Under Certificate No. G-37,)	CONFERENCE
Standing in the Name of Carroll-)	(January 23, 2003)
Naslund Disposal Service, Inc., d/b/a)	
Naslund Disposal Service, to Empire)	
Disposal, Inc., Holder of Certificate)	
No. G-75.)	
.....)	

- 1 On October 16, 2002, Empire Disposal, Inc., filed an application (No. GA-079113) for authority to transfer a portion of rights under Certificate No. G-37 standing in the name of Carroll-Naslund Disposal Service, Inc., d/b/a Naslund Disposal Service, to Empire Disposal, Inc., holder of Certificate No. G-75 (“Application”). The Application was given number GA-079113 and notice of the Application was published in the Commission’s weekly Docket of November 12, 2002.
- 2 The issues in this proceeding include whether the proposed transaction between Naslund Disposal Service, Inc., and Empire Disposal, Inc., complies with the above-referenced statute and rules and is otherwise in the public interest. The Commission has jurisdiction over this matter under Title 81 RCW, having legal authority to regulate persons seeking to furnish solid waste collection services under chapters 81.77 RCW and 480-70 WAC.
- 3 The statutes involved include those within chapter 81.04 RCW, chapter 81.28 RCW and chapter 81.77 RCW, including but not limited to RCW 81.77.040. Rules involved include those within chapters 480-70 WAC and 480-09 WAC.
- 4 The Commission sets a prehearing conference to discuss preliminary matters, the hearing process, and to formulate the issues. Further, a purpose of the prehearing conference is to discuss whether proceedings should be consolidated with Docket No. TG-021359.

5 **NOTICE IS GIVEN That a prehearing conference in this matter will be held on Thursday, January 23, 2003, beginning at 1:30 p.m., in Room 108, Chandler Plaza Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington. The prehearing conference will convene at the same time as a prehearing conference in Docket No. TG-021359.**

6 NOTICE IS ALSO 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.

7 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. The names and mailing addresses of all parties and their known representatives are as follows:

Applicant: Empire Disposal, Inc.
P.O. Box 649
Colfax, WA 99111
(509) 397-3200

Carroll & Naslund Disposal Service
P.O. Box 418
Lewiston, ID 83501
(509) 758-5755

Representative: James Sells, Attorney
Ryan Sells Uptegraft and Decker
9657 Levin Road N.W., Suite 240
Silverdale, WA 98383
(360) 307-8860

Protestant: Waste Management of Washington, Inc.
13225 NE 126th Place
Kirkland, WA 98034

Representative: Polly McNeill
Summit Law Group
1505 Westlake Avenue N, Suite 300
Seattle, WA 98109
(206) 676-7000

Commission Staff: Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Donald T. Trotter
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1189

8 The complete file is available for inspection during office hours at the Commission's Records Center in Olympia, Washington. 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 this proceeding.

9 Lawrence J. Berg has been appointed as the Administrative Law Judge from the Utilities and Transportation Commission's Administrative Law Division, 1300 S. Evergreen Park Drive S.W., Olympia, Washington 98504-7250, and will preside at the prehearing conference.

DATED at Olympia, Washington, and effective this ____ day of December, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN
Secretary

NOTICE

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and 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 stated below and returned to Washington Utilities and Transportation Commission, Attention: Carole J. Washburn, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket 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.: (____) _____