

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1-360-664-1222**

In the matter of the cancellation of solid)	
waste collection company certificate)	DOCKET TG-112218
G-212 held by:)	
)	
ROBERT VERN PONTIUS, d/b/a)	ORDER 02
PONTIUS TRUCKING COMPANY,)	
)	
for failure to file proof of liability and)	ORDER CANCELLING CERTIFICATE
property damage insurance covering)	
equipment)	
.....)	

BACKGROUND

- 1 Solid waste collection company certificate holders operating in the state of Washington, subject to regulation by the Washington Utilities and Transportation Commission (Commission), must maintain proof of liability and property damage insurance per RCW 81.77 and WAC 480-70-161.

- 2 On November 22, 2011, the Commission notified Robert Vern Pontius, d/b/a Pontius Trucking Company, (Pontius Trucking Company), by letter that its certificate to operate as a solid waste collection company in Washington State would be suspended if Robert Vern Pontius’s insurance company did not file with the Commission acceptable proof of insurance.

- 3 The Commission also informed Robert Vern Pontius that he could contest suspension of his certificate by requesting a hearing within ten (10) days of the date the notice was served. The Commission did not receive proof of insurance and Robert Vern Pontius did not request a hearing.

- 4 The Commission subsequently suspended Robert Vern Pontius’ certificate for a period of 30 days effective December 27, 2011. In the suspension order, the Commission informed Robert Vern Pontius that it would cancel certificate G-212 if his insurance company did not file acceptable proof of insurance within the 30-day suspension period. The Commission has not received proof of insurance and Robert Vern Pontius has not requested a hearing.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington having authority to regulate solid waste collection companies

as defined in RCW 81.77.

- 6 (2) Robert Vern Pontius, d/b/a Pontius Trucking Company, is a solid waste collection company operating in Washington State under certificate G-212.
- 7 (4) On November 22, 2011, the Commission received notice that Robert Vern Pontius' insurance would be cancelled effective December 27, 2011.
- 8 (5) The Commission suspended Robert Vern Pontius' certificate effective December 28, 2011, for failure to maintain proof of liability and property damage insurance.
- 9 (6) The Commission has not received acceptable proof of liability and property damage insurance for Robert Vern Pontius since November 22, 2011.
- 10 (7) The Commission may cancel the certificate of a company that fails to file and maintain the required insurance per RCW 81.77 and WAC 480-70-161(2)(a).

ORDER

THE COMMISSION ORDERS:

- 11 (1) Solid waste collection company certificate G-212, held by Robert Vern Pontius, d/b/a Pontius Trucking Company, is cancelled effective on the service date of this Order.
- 12 (2) The tariff and time schedule for Robert Vern Pontius, d/b/a Pontius Trucking Company, shall be cancelled effective at 12:01 a.m. on the day following the service date of this Order.
- 13 The Commission has delegated authority to the Secretary to enter this Order under RCW 80.01.030 and WAC 480-07-905(3)(e).

DATED at Olympia, Washington, January 31, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

NOTICE: This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least 14 days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site.

The Commission will schedule your request for review by issuing a notice of hearing to be held before an administrative law judge. The Commission, at its discretion, may consider your request for review in an adjudicative proceeding under RCW 34.05 Part IV, or in a brief adjudicative proceeding under RCW 34.05.482 through .494. Following hearing, the administrative law judge will enter an initial order. If you wish to seek review of the initial order, you may file a petition for administrative review under RCW 34.05.464, or if the matter is heard in a brief adjudicative proceeding, under RCW 34.05.491.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3), and WAC 480-07-905, as amended effective September 22, 2008.