

# MEMORANDUM

May 17, 2004

TO: Gene Eckhardt, Regulatory Services  
Assistant Director, Transportation and Water Section

FROM: Bonnie L. Allen, Regulatory Analyst

SUBJECT: Docket No. TG-040569 Application No. GA-79267  
Application to transfer a portion of authority from Certificate No. G-237.

Transferee: Disposal Services, Inc.  
4916 LaBounty Place  
Ferndale, WA 98248

Transferor: Waste Management of Washington, Inc. G-237  
13225 NE 126<sup>th</sup> Place  
Kirkland, WA 98034

## Discussion

On March 24, 2004, Disposal Services, Inc., and Waste Management of Washington, Inc., jointly filed Application No. GA-79267 for permanent transfer of a portion of authority. The portion of authority to be transferred from Waste Management of Washington Inc., to Disposal Services, Inc., is solid waste collection service on Sinclair Island in Skagit County. The application appeared on the Commission's March 29, 2004, application docket subject to protest for 30 days. No protests or petitions for intervention have been received.

Recycling & Disposal Management Services, Inc., wholly owns Disposal Services, Inc. There are no consumer complaints, compliance actions, or administrative penalties pending against either the transferor or the transferee in this application.

Under the provisions of RCW 81.77.040, the Commission may grant an application with or without hearing when there is no existing certificate holder authorized to provide solid waste collection service in the territory requested. Further, any certificate may be sold, assigned, leased, transferred, or inherited as property, but only on authorization by the Commission.

Recommendation

No hearing is required in this application and there are no issues that suggest staff should ask the Commission to set the application for hearing. Therefore, I recommend this application be forwarded to Licensing Staff to process and prepare an order to grant the transfer of authority to provide solid waste collection service on Sinclair Island in Skagit County from Waste Management of Washington, Inc., to Disposal Services Inc., without a hearing.

**Notes to Licensing Staff:**

Coordinate with GIS staff for a map of Disposal Services, Inc., operating territory and revised authority text for Waste Management's Certificate No. G-237.

The application currently identifies a boat, boat trailer, and compactor, as equipment to be used, but no motor vehicles. The applicant agreed to fax additional motor vehicle information to supplement the application.

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The application includes a new tariff from the applicant and a statement that Waste Management of Washington, Inc., had no tariff rates to adopt for this service. Tariff staff needs to determine if Waste Management has existing rates that should be adopted for the service that is being transferred.

Since this is a transfer of a portion of Waste Management's authority, no closing annual report is required.