

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-040570 Application No. GA-79268
Application for portion transfer of authority from Certificate No. G-237.

Transferee: Torre Refuse and Recycling, LLC
d/b/a Sunshine Disposal
2405 N. University Road
Spokane Valley, WA 99206

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

Discussion

On March 24, 2004, Torre Refuse and Recycling, LLC and Waste Management of Washington, Inc., jointly filed Application No. GA-79268 for permanent transfer of a portion of authority to provide solid waste collection services in Stevens and Spokane Counties. 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.

Marc B. and Heather D. Torre are the Managing Partners and 70% shareholders of Torre Refuse and Recycling, LLC. Torre Refuse and Recycling, LLC is an affiliate of Sunshine Disposal, Inc., holder of Solid Waste Certificate No. G-199.

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, without a hearing, the application for portion transfer of authority in Spokane and Stevens Counties from Waste Management of Washington, Inc., to Torre Refuse and Recycling, LLC.

Notes to Licensing Staff:

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

The application includes a tariff adoption notice for the Waste Management's Tariff No. 5, Waste Management of Addy.

Since this is only a portion transfer, no closing annual report is required from Waste Management.

This application is directly related to the temporary certificate under which Torre has been operating pending a decision on permanent transfer of authority. That temporary certificate will cancel on the issuance of an order granting this application. A copy of the order should be included in that temporary certificate file.