



Rabanco Ltd. # G12

1600 127th Ave. N.E.

Bellevue, WA 98005

Phone: (425) 646-2400 Fax: (425) 646-2440

RECEIVED

JUL 11 2006

WASH. UT. & TP. COMM

July 10, 2006

Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

NO MONIES
ENCLOSED

Enclosed please find a copy of your Notice of Penalties Incurred no. TG-061052 dated June 30, 2006 and received by us on July 6, 2006, assessing penalties in the amount of \$100.00 for filing our annual return after May 1, 2006. While we agree that the RCW calls for filing by May 1, 2006, what is unclear is what constitutes "filing". For tax returns and other filings/payments due to most governmental agencies, including the IRS, State of Washington B&O taxes, property taxes and others, "filing" by mail requires that the envelope be postmarked on or before the "due date". In our case, our envelope was postmarked on May 1, 2006. Therefore, we request that the penalties on the above referenced Notice be reversed. Please also note that the instructions on your Notice of Penalties refer to an enclosed form, however, no such form was included, either in the certified envelope we received or the one received via regular mail. In the future, if it is your position that the filings must actually be physically received at your office by May 1, we will make sure that we comply.

Sincerely,

Mark E. Gregg
District Service Analyst

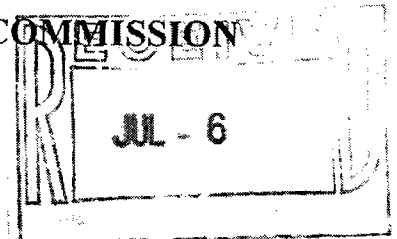
encls

SERVICE DATE

JUL 05 2006

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

NOTICE OF PENALTIES INCURRED AND DUE
FOR VIOLATIONS OF LAWS AND RULES



PENALTY ASSESSMENT NO: TG-061052
PENALTY AMOUNT: \$100

TO: EACH OF THE 20 SOLID WASTE
COMPANIES LISTED IN ATTACHED APPENDIX A

The commission believes that you have committed one violation of Washington Administrative Code 480-70-071 which requires solid waste companies to file annual reports with the commission by May 1 each year. You are classified as such a company. Commission records show that you did not make the filing by the required date of May 1, 2006. (See Appendix A for individual carrier's report status as of June 19, 2006.) Revised Code of Washington (RCW) 81.04.405 allows penalties of \$100 for every such violation.

As a result, the commission hereby notifies you that it has assessed penalties against you in the amount \$100, as follows:

On March 8, 2006, the commission mailed 2005 Annual Report forms and 2006 Regulatory Fee packets to you and other solid waste companies certificated in Washington State. A letter from Executive Secretary Carole Washburn instructed each company to file its annual report and pay its regulatory fees by May 1, 2006. The letter stated that failure to file your annual report by May 1 would result in a penalty and possible revocation of your registration to operate in Washington. Companies needing more time to file the annual report were permitted to request an extension before May 1, and to explain why the extension was needed. You did not request an extension of time and did not file your annual report before the deadline.

This information, if proved at a hearing and not rebutted or explained, is sufficient to support the penalty assessment.

Your penalty is due and payable now. If you believe the violation did not occur, you may request a hearing to contest the penalty assessment. If there is a reason for the violation that you think should excuse you from the penalty, you may ask for mitigation (reduction) of this penalty. See RCW 81.04.405.

You have the right to present your request for review or mitigation at a hearing, but you are not required to do so. If you do, the commission will review the evidence supporting your request in an informal hearing, called a Brief Adjudicative Proceeding, before an administrative law judge. The administrative law judge will consider your plea and notify you of his or her decision.

You must act within 15 days after receiving this notice to do one of the following:

- Pay the amount due.
- Request a hearing to contest the occurrence of the violations.
- Request mitigation to contest the amount of the penalty.

Please indicate your selection on the enclosed form and send it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, **within FIFTEEN (15) days** after you receive this notice.

If you do not act within 15 days, the commission may refer this matter to the Office of the Attorney General for collection. The commission may then sue you to collect the penalty.

DATED at Olympia, Washington, and effective June 30, 2006.

A handwritten signature in black ink, appearing to read 'D. Moss', is written over a horizontal line.

DENNIS J. MOSS
Administrative Law Judge

APPENDIX A

	Company Name	Received Yes or No	If yes, Date Received
1.	Bed Rock, Inc.	Yes	May 10, 2006
2.	Blaine-Bay Refuse, Inc.	Yes	May 2, 2006
3.	Consolidated Disposal Services, Inc.	Yes	May 3, 2006
4.	DB Hauling, LLC	No	
5.	Emerald Services, Inc.	No	
6.	Fiorito Enterprises, Inc. & Rabanco Companies	Yes	May 3, 2006
7.	Hearn, William D.	No	
8.	LTI, Inc.	Yes	May 30, 2006
9.	Ludtke-Pacific Trucking, Inc.	Yes	May 2, 2006
10.	Peninsula Sanitation Service, Inc.	Yes	May 2, 2006
11.	Petland Cemetery, Inc.	Yes	May 16, 2006
12.	Points Recycling and Refuse, LLC	No	
13.	Pontius, Robert Vern	No	
14.	Rabanco LTD	Yes	May 3, 2006
15.	Robert L. Nichols	Yes	May 3, 2006
16.	Skamania County Sanitary Service, Inc.	No	
17.	Stericycle of Washington, Inc.	Yes	May 5, 2006
18.	Trashbusters of Washington State, LLC	Yes	May 2, 2006
19.	Waste Paper Services, Inc.	Yes	May 3, 2006
20.	West Waste & Recycling, Inc.	Yes	June 2, 2006