

January 18, 2008

00900.0050

VIA EMAIL AND FEDERAL EXPRESS

Ms. Carole J. Washburn
WUTC Executive Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504

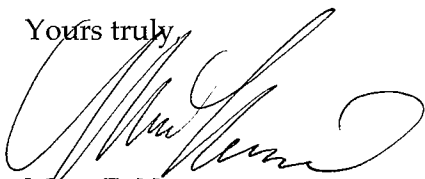
Re: Petition to Intervene
Docket No. TG-072226

Dear Ms. Washburn:

Enclosed for filing is an original and twelve (12) copies of the Petition to Intervene of Murrey's Disposal Company, Inc., Island Disposal, Inc., Waste Connections of Washington, Inc., Lynnwood Disposal d/b/a Allied Waste of Lynnwood, and Eastside Disposal d/b/a Allied Waste of Bellevue. Also enclosed is an extra copy of the face sheet that we would ask be stamped and returned to us in the enclosed self-addressed stamped envelope.

If you should have any questions, please do not hesitate to contact me.

Yours truly,



Mary E. Newman
Legal Assistant to David W. Wiley, Esq.
(206) 628-2413
mnewman@williamskastner.com

MEN:men
Enclosures

cc: All Parties of Record

Williams, Kastner & Gibbs PLLC
Two Union Square
601 Union Street, Suite 4100
Seattle, Washington 98101
main 206.628.6600 fax 206.628.6611
www.williamskastner.com
SEATTLE . TACOMA . PORTLAND

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the Proper Carrier
Classification of

GLACIER RECYCLE, LLC;
HUNGRY BUZZARD RECOVERY, LLC;
AND T&T RECOVERY, INC.

DOCKET TG-072226

PETITION TO INTERVENE OF
MURREY'S DISPOSAL COMPANY,
INC., ISLAND DISPOSAL, INC.,
WASTE CONNECTIONS OF
WASHINGTON, INC., LYNNWOOD
DISPOSAL D/B/A ALLIED WASTE OF
LYNNWOOD, AND EASTSIDE
DISPOSAL D/B/A ALLIED WASTE OF
BELLEVUE

COMES NOW Murrey's Disposal Company, Inc. located at 4622 70th Avenue East, P.O. Box 399, Puyallup, WA 98371, (hereinafter "Murrey's"); Island Disposal, Inc. located at 520 S.R. 20, P.O. Box 990, Coupeville, WA 98239, (hereinafter "Island Disposal"); Waste Connections of Washington, Inc. located at 9411 NE 94th, Vancouver, WA 98662 (hereinafter "WCW"); Lynnwood Disposal d/b/a Allied Waste of Lynnwood and Eastside Disposal d/b/a Allied Waste of Bellevue located at 1600 127th Avenue NE, Bellevue, WA 98005 (hereinafter "Lynnwood and Eastside Disposal"), by and through their counsel, David W. Wiley and Williams, Kastner & Gibbs PLLC, and pursuant to the Commission's Order Instituting Special Proceeding and Notice of Prehearing Conference dated December 28, 2007, RCW 34.05.443 and WAC 480-07-355, address the Order as follows:

PETITION TO INTERVENE OF MURREY'S DISPOSAL
COMPANY, INC., ISLAND DISPOSAL, INC., WASTE
CONNECTIONS OF WASHINGTON, INC., LYNNWOOD
DISPOSAL D/B/A ALLIED WASTE OF LYNNWOOD, AND
EASTSIDE DISPOSAL D/B/A ALLIED WASTE OF BELLEVUE - 1

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, Washington 98101-2380
(206) 628-6600

1 **I. BASES OF INTEREST/POSITION OF INTERVENORS**

2 Murrey's, as holder of Certificate G-9, is authorized to collect and transport
3 solid waste in areas throughout Pierce County. Island Disposal, as holder of Certificate
4 G-154, is authorized to collect and transport solid waste in areas throughout Whidbey
5 Island. WCW, as holder of Certificate G-253, is authorized to collect and transport
6 solid waste in areas throughout Clark County. Lynnwood and Eastside Disposal, as
7 holders of Certificate G-12, are authorized to collect and transport solid waste in areas
8 throughout areas of Snohomish and King County, respectively. As such, the
9 aforementioned companies (collectively "Petitioners") have a direct interest in the
10 subject matter raised by the Notice and Order filed by the Commission, particularly
11 with respect to the issue of whether the ongoing operations of the Respondents violate
12 RCW 81.77.040 and WAC 480-70-081.

13 Petitioners contend that the Staff's belief and allegations regarding
14 Respondents' ongoing activities, as set forth in Section 5 of its Notice, to the best of
15 Petitioners' knowledge, are accurate in fact and under law.

16 As the currently authorized solid waste collection companies in the affected
17 territories, Respondents allege that they have a direct stake in the outcome of any
18 Commission ruling in this matter, and assert that a full, fair and complete record could
19 not be adduced in this proceeding without the active participation of the applicant
20 intervenors.

21 **II. PREHEARING CONFERENCE MOTION**

22 The above proposed intervenors are seeking, and will formally request
23 intervention status at the prehearing conference scheduled in the matter on January 24,
24 2008, and therefore urge the Administrative Law Judge and the Commission to grant

25 PETITION TO INTERVENE OF MURREY'S DISPOSAL
 COMPANY, INC., ISLAND DISPOSAL, INC., WASTE
 CONNECTIONS OF WASHINGTON, INC., LYNNWOOD
 DISPOSAL D/B/A ALLIED WASTE OF LYNNWOOD, AND
 EASTSIDE DISPOSAL D/B/A ALLIED WASTE OF BELLEVUE - 2

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, Washington 98101-2380
(206) 628-6600


1 them status as general intervenors directly affected by the outcome of any resolution of
2 the issues noticed in the Order and Notice of Prehearing Conference and Show Cause
3 Proceeding.

4 **III. SUMMARY/PRAYER FOR RELIEF**

5 6 WHEREFORE, Murrey's, Island Disposal, WCW and Lynnwood and Eastside
6 Disposal (proposed intervenors), respectfully request that they be granted leave to
7 intervene in this proceeding pursuant to WAC 480-07-355, and that they consequently
8 be allowed to fully participate in the development of the record and any pre and post-
9 hearing stages in this proceeding.

10 RESPECTFULLY SUBMITTED this 17 day of January, 2008.

11 WILLIAMS, KASTNER & GIBBS PLLC

12 By  _____

13 David W. Wiley, WSBA #08614
14 Attorneys for Murrey's Disposal, Island
15 Disposal, Inc., Waste Connections of
16 Washington, Inc., Lynnwood Disposal d/b/a
17 Allied Waste of Lynnwood and Eastside
18 Disposal d/b/a Allied Waste of Bellevue

19
20
21
22
23
24
25 PETITION TO INTERVENE OF MURREY'S DISPOSAL
COMPANY, INC., ISLAND DISPOSAL, INC., WASTE
CONNECTIONS OF WASHINGTON, INC., LYNNWOOD
DISPOSAL D/B/A ALLIED WASTE OF LYNNWOOD, AND
EASTSIDE DISPOSAL D/B/A ALLIED WASTE OF BELLEVUE - 3

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, Washington 98101-2380
(206) 628-6600

CERTIFICATE OF SERVICE

I hereby certify that I have this day served this document upon all parties of record in this proceeding, by the method as indicated below, pursuant to WAC 480-07-150.

<p>Carriers:</p> <p>Glacier Recycle, LLC 3200 – 148th Ave. SE Auburn, WA 98092</p> <p>Hungry Buzzard Recovery, LLC P.O. Box 13528 Mill Creek, WA 98082</p> <p>T&T Recovery, Inc. 4731 Lost Creek Road Bellingham, WA 98229</p>	<p><input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email</p>
<p>Representative:</p> <p>Donald L. Anderson, Esq. Eisenhower & Carlson, PLLC 1200 Wells Fargo Plaza 1201 Pacific Avenue Tacoma, WA 98402</p>	<p><input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email</p>
<p>Commission:</p> <p>Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. SW P.O. Box 47250 Olympia, WA 98504-7250</p>	<p><input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email</p>
<p>Representative:</p> <p>Jonathan Thompson Assistant Attorney General 1400 S. Evergreen Park Dr. SW P.O. Box 40128 Olympia, WA 98504-0128</p>	<p><input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email</p>

PETITION TO INTERVENE OF MURREY'S DISPOSAL COMPANY, INC., ISLAND DISPOSAL, INC., WASTE CONNECTIONS OF WASHINGTON, INC., LYNNWOOD DISPOSAL D/B/A ALLIED WASTE OF LYNNWOOD, AND EASTSIDE DISPOSAL D/B/A ALLIED WASTE OF BELLEVUE - 4

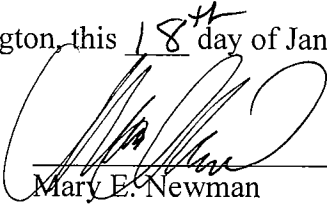
Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, Washington 98101-2380
(206) 628-6600

1 **Representative:**

2 James K. Sells
3 Ryan Sells Uptegraft, Inc. P.S.
4 9657 Levin Rod. NW, Suite 240
5 Silverdale, WA 98383
6 Phone: 360.307.8860
7 Fax: 360.307.8865
8 e-mail: jimsells@rsulaw.com

- Via Legal Messenger
 Via Facsimile
 Via U.S. Mail
 Via Email

7 DATED at Seattle, Washington, this 18th day of January, 2008.

8 
9 _____
10 Mary E. Newman

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25 PETITION TO INTERVENE OF MURREY'S DISPOSAL
COMPANY, INC., ISLAND DISPOSAL, INC., WASTE
CONNECTIONS OF WASHINGTON, INC., LYNNWOOD
DISPOSAL D/B/A ALLIED WASTE OF LYNNWOOD, AND
EASTSIDE DISPOSAL D/B/A ALLIED WASTE OF BELLEVUE - 5

Williams, Kastner & Gibbs PLLC
601 Union Street, Suite 4100
Seattle, Washington 98101-2380
(206) 628-6600