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TG-040248

RYAN SELLS UPTEGRAFT, INC. P.S.

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JAMES E. RYAN
JAMES K. SELLS
DARRELL D. UPTEGRAFT, JR.
ANNE M. MONTGOMERY

February 27, 2004

TODD A. BUSKIRK
EMILY M. BUTCHER
GORDON L. WALGREN
Of Counsel

Ms. Carole Washburn
Executive Secretary
Washington Utilities and
Transportation Commission
P. O. Box 47250
Olympia, WA 98504-7250

RECEIVED
RECORDS MANAGEMENT
04 MAR - 1 AM 9:14
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

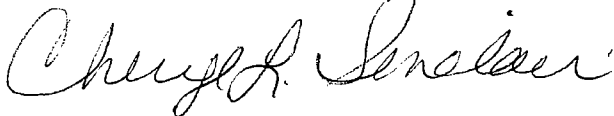
**Re: Application of Kleen Environmental Technologies, Inc.
GA079254**

Dear Ms. Washburn:

Enclosed for filing is an original and three copies of Protest of Washington Refuse and Recycling Association.

Very truly yours,

RYAN SELLS UPTEGRAFT, INC. P.S.



Cheryl L. Sinclair
Secretary to
JAMES K. SELLS

encs.

cc: Washington Refuse & Recycling Assn.

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BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION

In Re Application of

KLEEN ENVIRONMENTAL
TECHNOLOGIES, INC.

NO. GA 079254

PROTEST OF WASHINGTON REFUSE
AND RECYCLING ASSOCIATION

COMES now Protestant, Washington Refuse & Recycling Association (WRRRA), c/o JAMES K. SELLS, 9657 Levin Rd. N.W., Suite 240, Silverdale, Washington 98383, and protests the above-referenced application in which the following authority is sought:

SOLID WASTE COLLECTION SERVICE consisting of biomedical waste in the state of Washington.

In doing so, Protestant alleges and prays as follows:

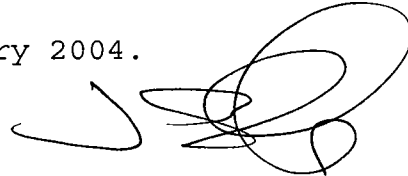
1. WRRRA is a non-profit Washington corporation organized under and existing by virtue of the laws of the State of Washington. The membership of WRRRA consists of holders of Washington Utilities and Transportation Commission certificates to collect and haul solid waste in the State of Washington. WRRRA is a trade association within the meaning of the laws of the State of Washington and the rules and regulations of the Washington Utilities and Transportation Commission, and a "person" as defined by WAC 480-09-410(1) and WAC 480-70-026.

2. This protest is filed on behalf of WRRRA, its members at large and on behalf of that member or those members who hold authority to collect and transport solid waste within the territory specified in the above-referenced application.

1 3. Members of WRRRA are presently serving the areas
2 requested in the above-referenced application pursuant to
3 certificates of public convenience and necessity issued by the
4 Washington Utilities and Transportation Commission. Those
5 certificate holders are ready, willing and able to provide any
6 service necessary within the subject area. The granting of this
7 application would deprive those certificate holders of revenue
8 from the carriage of materials to which they are certificated to
9 carry and are able to do so. The granting of this application
10 would be contrary to the laws of the State of Washington and the
11 regulations of the Washington Utilities and transportation
12 Commission.

13 WHEREFORE, Protestant prays the subject application be
14 dismissed; or in the alternative, that the matter be set for
15 hearing. If the matter is set for hearing, Protestant WRRRA would
16 call five to ten witnesses whose testimony would take
17 approximately two days.

18 DATED this 27 day of February 2004.



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JAMES K. SELLS
WSBA No. 6040
Attorney for Protestant

CERTIFICATE OF SERVICE

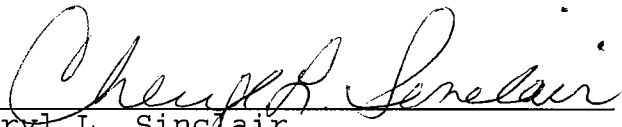
1 I hereby certify that on this day a true copy of the
2 foregoing Protest of Washington Refuse and Recycling Association
was served by first class mail, postage prepaid, on:

3 Kleen Environmental Technologies, Inc.
4 754 Garfield Street
Seattle, WA 97109

5 Mr. Greg W. Haffner
6 Attorney at Law
7 555 West Smith Street
PO Box 140
8 Kent, WA 98035-0140

9 I swear under the penalty of perjury of the laws of the
State of Washington that the foregoing is true and correct.

10 DATED: February 27th, 2004.

11 
12 Cheryl L. Sinclair
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