



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

December 10, 2007

Arthur Wilkowski, Owner
Points Recycling & Refuse, Inc.
PMB 1542
145 Tyee Drive
Point Roberts, Washington 98281-9602

RE: Solid Waste Certificate G-155

Dear Mr. Wilkowski:

Washington Utilities and Transportation Commission (commission) staff did not receive your annual report by May 1 as required by Washington state law. You were mailed a 2006 annual report form and fee calculation sheet on March 8, 2007. On April 6, 2007, we sent you a reminder to file your report and pay your fees by May 1. On June 28, 2007, we issued you a \$200 penalty for failure to file the 2006 annual report timely. As well, the commission has not received your 2007 regulatory fee.

Further review of UTC records indicates you have failed to file your 2005 annual report or pay your 2006 regulatory fee.

If we do not receive your 2005 and 2006 annual reports and 2006 and 2007 regulatory fee payments by December 31, 2007, in accordance with Washington Administrative Code (WAC) 480-70-161(1)(b) and (2)(b) (copy enclosed), **the commission will begin proceedings to suspend, and ultimately cancel, your solid waste certificate.** In addition, you must remit payment for the \$200 penalty assessment issued June 28 by December 31, 2007.

Annual report forms are available on the UTC's web site at www.wutc.wa.gov.

For questions regarding this matter, please contact Sheri Hoyt, Compliance Specialist, Business Practices Investigations Section. Ms. Hoyt can be reached at (360) 664-1149, or by e-mail at shoyt@wutc.wa.gov.

Sincerely,

Carole J. Washburn
Executive Secretary

Enclosure



480-70-156 << 480-70-161 >> 480-70-171

WAC 480-70-161

Suspending and canceling certificates.

(1) **Cause for suspension.** The commission may suspend a certificate for cause. Cause includes, but is not limited to:

- (a) Failure to maintain evidence of required liability insurance coverage for all areas of a company's operations;
- (b) Failure to file an annual report or pay required regulatory fees;
- (c) Failure to comply with the rates and rules contained in the company's filed tariff;
- (d) Failure or refusal to comply with operating standards that protect the public health, safety or welfare;
- (e) Allowing others to operate under a company's certificated authority without having first obtained commission approval; or
- (f) Operating in a manner that violates the rights of customers and/or constitutes an unfair or deceptive business practice.

(2) **Cause for cancellation.** The commission may cancel a certificate for cause. Cause includes, but is not limited to:

- (a) Operating without proper insurance;
- (b) Failure to file an annual report or pay required regulatory fees;
- (c) Failure to correct within the time specified in a suspension order all conditions listed in the suspension order that led to the certificate's suspension;
- (d) Continued violations of applicable laws and rules affecting the public health, safety, or welfare when the commission has reason to believe the company will not comply with those laws and rules following a specified period of suspension;
- (e) Repeated failure or refusal to comply with applicable laws and rules pertaining to operations of solid waste collection companies;
- (f) Failure to supply requested information needed by the commission in the performance of its regulatory functions;
- (g) Submission of false, misleading, or inaccurate information; or
- (h) Allowing others to operate under a company's certificated authority without having first obtained commission approval.

(3) **Notice of pending suspension and cancellation.** When the commission believes cause exists to suspend or cancel a certificate, it will issue a notice to the company of the commission's intention to suspend or cancel the authority.

(4) **Contest of suspension and cancellation.** A company may contest the pending suspension and/or cancellation of its certificate by requesting a hearing or brief adjudicative proceeding within ten days following the date of the notice.

[Statutory Authority: RCW 80.01.040(4), 81.04.160, 06-07-100 (Docket No. T-051359, General Order No. R-529), § 480-70-161, filed 3/15/06, effective 4/15/06. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040, 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-161, filed 3/23/01, effective 4/23/01.]