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7 BEFORE THE WASHINGTON STATE  
8 UTILITIES AND TRANSPORTATION COMMISSION

9 In Re Application of Waste  
10 Management of Washington,  
11 Inc. d/b/a WM Healthcare  
12 Solutions of Washington

Docket TG-120033

13 PROTEST OF WASHINGTON  
14 REFUSE & RECYCLING ASSOCIATION;  
15 RUBATINO REFUSE REMOVAL, INC.;  
16 CONSOLIDATED DISPOSAL SERVICES,  
17 INC.; MURREY'S DISPOSAL, INC.; AND  
18 PULLMAN DISPOSAL SERVICE, INC.

19 **COME NOW PROTESTANTS** above named and protest the above-  
20 referenced Application, in which the following authority is sought:

21 Application for extension of Certificate G-237, standing in the  
22 name of Waste Management of Washington, Inc., d/b/a WM  
23 Healthcare Solutions of Washington, for authority to provide:

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

26 In doing so, Protestants allege and pray as follows:

1) Protestant Washington Refuse and Recycling Association (WRRRA)  
is a nonprofit Washington corporation, created in accordance with the laws of  
the State of Washington. The membership of WRRRA is composed of holders of  
Certificates of Public Convenience and Necessity to collect and transport solid

Protest of WRRRA; Rubatino; Consolidated  
Disposal; Murrey's; and Pullman Disposal - 1

**JAMES K. SELLS**

Attorney at Law

PMB 22, 3110 Judson St., Gig Harbor, WA 98335  
360.981.0168 / e-mail: jamesells@comcast.net

1 waste, issued by the Washington Utilities and Transportation Commission  
2 (WUTC), commonly called G-certificates. WRRRA is a trade association within  
3 the meaning of the laws of the State of Washington and the rules of the  
4 WUTC. WRRRA is a "person" as defined by WAC 480-07-340 and WAC 480-70-  
5 041, and thus is entitled to protest the above-referenced application on its  
6 own behalf, and on behalf of its membership at large including, but not  
7 necessarily limited to, those members which are currently providing medical  
8 waste service and those who have filed tariffs with the WUTC for medical  
9 waste service.

10 2) Protestant Rubatino Refuse Removal, Inc. (Rubatino) is a  
11 Washington corporation. All fees and charges due the State of Washington  
12 are paid. Rubatino is the holder of WUTC G-permit No. 58, a true copy of  
13 which is attached hereto. Rubatino provides full and complete solid waste  
14 collection service, including medical waste, within its permitted territory.  
15 Additional medical waste service in this territory is provided by Stericycle,  
16 Inc., pursuant to G-permit No. G-244. There is no public need for additional  
17 medical waste service in this area. The granting of additional overlapping  
18 authority would be detrimental to the two existing permit holders, contrary to  
19 the public interest, and not required by public convenience and necessity.

20 3) Protestant Consolidated Disposal Services, Inc. (Consolidated) is a  
21 Washington corporation. All fees and charges due the State of Washington  
22 are paid. Consolidated is the holder of WUTC G-permit No. G-190, a true  
23 copy of which is attached hereto. Consolidated provides full and complete  
24 solid waste collection service, including medical waste, within its permitted  
25 territory. Additional medical waste service in this territory is provided by  
26 Stericycle, Inc., pursuant to G-permit No. G-244. There is no public need for  
additional medical waste service in this area. The granting of additional  
overlapping authority would be detrimental to the two existing permit holders,  
contrary to the public interest, and not required by public convenience and  
necessity.

1           4)     Murrey's Disposal, Inc. (Murrey's) is a Washington corporation.  
2 All fees and charges due the State of Washington are paid. Murrey's is the  
3 holder of WUTC G-permit No. 9, a true copy of which is attached hereto.  
4 Murrey's provides full and complete solid waste collection service, including  
5 medical waste, within its permitted territory. Additional medical waste service  
6 in this territory is provided by Stericycle, Inc., pursuant to G-permit No. G-  
7 244. There is no public need for additional medical waste service in this area.  
8 The granting of additional overlapping authority would be detrimental to the  
9 two existing permit holders, contrary to the public interest, and not required  
10 by public convenience and necessity.

11           5)     Pullman Disposal Service, Inc. (Pullman) is a Washington  
12 corporation. All fees and charges due the State of Washington are paid.  
13 Pullman is the holder of WUTC G-permit No. G-42, a true copy of which is  
14 attached hereto. Pullman provides full and complete solid waste collection  
15 service, including medical waste, within its permitted territory. Additional  
16 medical waste service in this territory is provided by Stericycle, Inc., pursuant  
17 to G-permit No. G-244. There is no public need for additional medical waste  
18 service in this area. The granting of additional overlapping authority would be  
19 detrimental to the two existing permit holders, contrary to the public interest,  
20 and not required by public convenience and necessity.

21           6)     Protestants Rubatino, Consolidated, Murrey's and Pullman have  
22 invested significant funds to provide service to the public within their  
23 permitted areas, and a grant of additional overlapping authority would be  
24 detrimental to those investments and contrary to the public interest. The  
25 service sought in this application is not required by public convenience and  
26 necessity.

          7)     Applicant herein cannot establish its regulatory fitness to provide  
the requested service.

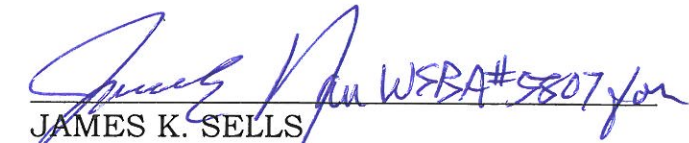
          8)     All Protestants above named will appear at any hearing regarding  
this application. It is estimated that each Protestant will present one witness,  
and the direct testimony of each witness would be approximately one hour.

1 9) Protestants recognize the right of Applicant to provide biomedical  
2 service within the territory covered by the existing Certificate G-237, and this  
3 Protest is directed only at extension of Certificate G-237.

4 10) There is no amendment to this application which would result in  
5 withdrawal of this Protest.

6 WHEREFORE, Protestants, and each of them, pray that this application  
7 be denied, if necessary, after hearings are held.

8 DATED this 17<sup>th</sup> day of February 2012.

9   
10 JAMES K. SELLS  
11 WSBA No. 6040  
12 Attorney for Protestants WRRRA,  
13 Rubatino, Consolidated, Murrey's and  
14 Pullman  
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**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.

Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. SW PO Box 47250 Olympia, WA 98504-7250 360.664.1160 records@utc.wa.gov	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email
Waste Management of Washington d/b/a WM Healthcare Solutions of Washington 720 – 4 <sup>th</sup> Ave., Suite 400 Kirkland, WA 98033-8136	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email
Polly L. McNeill Summit Law Group 315 – 5th Avenue S. Seattle, Washington 98104 <a href="mailto:pollym@summitlaw.com">pollym@summitlaw.com</a>	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email

DATED at Silverdale, Washington, this 17<sup>th</sup> day of February 2012.

  
Cheryl L. Sinclair

**WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION**

**1300 S EVERGREEN PARK DRIVE SW, PO BOX 47250**

**OLYMPIA, WA 98504-7250**

**(360) 664-1222**

**This certificate authorizes the following operations under the provisions of RCW Title 81:**

RUBATINO REFUSE REMOVAL, INC.  
2812 HOYT AVE  
PO BOX 1029  
EVERETT, WA 98206-1029

Cert No.  
G-58

CORRECTED

GARBAGE AND REFUSE COLLECTION SERVICE In the City of Everett and those portions of Snohomish County adjacent thereto, described as follows: (1) South of Everett: Beginning at the point where the Great Northern Railway right-of-way intersects with the south city limits of Everett; thence southerly along said right-of-way to its intersection with 61st Street extended; thence west along 61st Street extended to its intersection with the new Alternate PSH-1 (U.S. 99 by-pass); thence southerly along said U.S. 99 by- pass to its intersection with 84th Street; thence west along 84th Street to the Upper Ridge Road; thence northerly along the Upper Ridge Road, including 78th Place S.W. and 76th Place S.W., to the Beverly Park Maple Heights Road; thence northerly along the Beverly Park-Maple Heights Road to the 7th Standard Parallel North; thence west on said parallel to the east line of Section 3, T. 28 N., R. 4 E.W.M.; thence south on said line to the east-west centerline of said Section 3; thence west on said centerline to the east city limits of Mukilteo; thence northerly and westerly following the city limits of Mukilteo to the shore line of Possession Sound and/or Port Gardner Bay; thence easterly along said shoreline to the west city limits of Everett. Also in that portion of Snohomish County described as follows: Starting at the points where 40th Ave. W. extended intersects with the north boundary of Paine Field; thence east on said north boundary to the east boundary of Paine Field; thence south to a line 100 feet north of 90th Street S.W.; thence east on this line to U.S. Highway 99 (no service to be rendered on Kelly-Corbin Road); thence north on a line one block west of U.S. Highway 99 to its intersection with 84th Street S.W.; thence west on the south side of 84th Street S.W. to Upper Ridge Road; thence north on Upper Ridge Road (with no service to be rendered on Upper Ridge Road) to Beverly Park-Maple Heights Road; thence following the west side of the Beverly Park Maple Heights road to the 7th Standard Parallel North; thence west on said parallel to the east line of Section 3, T. 28 N., R. 4 E.W.M.; thence south on said line to the east-west centerline of said Section 3; thence west on said centerline to the east city limits of Mukilteo; thence southerly and easterly following said city limits to 40th Ave. W. extended; thence south on 40th Ave. W. extended to the north boundary of Paine Field, the place of beginning. (2) East of Everett: Beginning at the point where Hewitt Avenue (PSH-15) intersects with the city limits of Everett; thence east on Hewitt Avenue extended to the southeast corner of Section 21, T. 29 N., R. 6 E.W.M.; thence north on the east line of said Section 21 extended to the northeast corner of Section 4, T. 29 N., R.

WASHINGTON UTILITIES AND TRANSPORTATION  
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6 E.W.M.; thence west on the north line of said Section 4 extended to the point where it intersects with the southerly shore of Steamboat Slough; thence westerly along said shoreline to Port Gardner Bay; thence southerly along the shoreline of said bay to the north city limits of Everett.

The following authority was obtained by transfer from Basin Disposal, Inc. holder of Certificate No. G-118.

**GARBAGE AND WASTE MATERIALS COLLECTION SERVICE** From within that portion of Snohomish County described as follows: Bounded on the north by the south city limits line of the City of Everett extended east to its intersection with the New Broadway Cut-off (alternate PSH-1); thence south on the New Broadway Cut-off to its intersection with Pacific Northwest Traction Company Road; thence south on both sides of said road to its intersection with Stockshow Road; thence west along the north side of Stockshow Road to its intersection with 8th Ave. W. extended; thence north on 8th Ave. W. extended to the intersection of 9th Ave. W. and U.S. 99; thence westerly and northerly on 9th Ave. W. to its intersection with 100th St. S.W. and Holly Drive; thence west on 100th St. S.W. (but not including 100th St. S.W.) to 12th Ave. W. extended (West boundary of Sec. 13, TWP 28 N., Range 4 E.); thence north on 12th Ave. W. extended to a point 100 Ft. north of 90th St. S.W.; thence east on a line 100 Ft. north of 90th St. S.W. to U.S. 99 (service is authorized on both sides of the Kelly-Corbin Road for its entire extent); thence northeast along U.S. Highway 99 (both sides) to its intersection with 84th St. S.W.; thence west on the north side of 84th St. S.W. to its intersection with Upper Ridge Road; thence north on both sides of Upper Ridge Road to its intersection with the Beverly Park-Maple Heights Road to its intersection with the south city limits of Everett.

**GARBAGE AND REFUSE COLLECTION SERVICE** In that portion of Snohomish County described as follows: From the Snohomish County Airport for the account of Tyee Aircraft, Inc., only, to the City of Everett dump.

**REFUSE AND DEBRIS COLLECTION SERVICE** consisting of lumber brick, tile and other cast-off materials (excluding regular garbage collection service) from premises where construction or repair jobs are being or have been conducted or structures are being or have been razed in Snohomish County (except for starting from Puget Sound at 148th St. S.W. to Highway 99, thence South on 99 to 35th Avenue S.W., thence South on 35 to 164th St. S.W., thence East on 164th St. S.W. including the City of Mill Creek present City Limits to Seattle Hill Road, thence North to Seattle Hill Road to Lowell-Larimer Road, thence Southeast on Lowell-Larimer Road and Connelly Road which runs into Elliott Road which connects with high Bridge Road

to the King County Line, thence West to Puget Sound following the King County Line, thence North along the shoreline of Puget Sound to the point of beginning.)

01-11-00

**WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION**

**1300 S EVERGREEN PARK DRIVE SW, PO BOX 47250**

**OLYMPIA, WA 98504-7250**

**(360) 664-1222**

**This certificate authorizes the following operations under the provisions of RCW Title 81:**

CONSOLIDATED DISPOSAL SERVICES, INC.

Cert No.

2370 BASIN S.W.

G-190

PO BOX 1154

EPHRATA, WA 98823-1154

GARBAGE AND REFUSE COLLECTION SERVICE in that portion of Grant and Adams Counties described as follows: Beginning at the S.E. corner of Section 24, T. 14 N., R. 27 E.; thence west along the south line of said Section 24 extended to the east bank of the Columbia River; thence following said river bank in a northerly and westerly direction to the point of intersection with the west line of Section 31, T. 14 N., R. 26 E.; thence north along the west line of said Section 31 extended to the S.E. corner of Section 12, T. 16 N., R. 25 E.; thence west along the south line of said Section 12 extended to the S.W. corner of Section 8, T. 16 N., R. 24 E.; thence north along the west line of said Section 8 extended to the S.E. corner of Section 30, T. 18 N., R. 24 E.; thence west along the south line of said Section 30 extended to the S.W. corner of Section 28, T. 18 N., R. 23 E.; thence north along the west line of said Section 28 extended to the N.W. corner of Section 28, T. 19 N., R. 23 E.; thence east along the north line of said Section 28 extended to the S.W. corner of Section 19, T. 19 N., R. 24 E.; thence north along the west line of said Section 19 extended to the S.E. corner of Section 1, T. 19 N., R. 23 E.; thence west along the south line of said Section 1 extended to the S.W. corner of Section 5, T. 19 N., R. 23 E.; thence north along the west line of said Section 5 to the N.W. corner of said Section 5; thence west along the extended north line of Section 5 to the east bank of the Columbia River; thence north along the east bank of the Columbia River to the intersection with the west line of Section 18, T. 20 N., R. 23 E.; thence north along the west line of said Section 18 extended to the N.W. corner of Section 18, T. 21 N., R. 23 E., (also the Douglas-Grant County Line); thence east and north along the county line to the N.W. corner of Section 6, T. 22 N., R. 24 E.; thence east along the north line of said Section 6 extended to the N.E. corner of Section 1, T. 22 N., R. 30 E.; thence south along the east line of said Section 1 extended to the N.W. corner of Section 6, T. 19 N., R. 31 E.; thence east along the north line of said Section 6 extended to the N.E. corner of Section 1, T. 19 N., R. 32 E.; thence south along the east line of said Section 1 extended to the S.E. corner of Section 36, T. 15 N., R. 32 E.; thence west along the south line of said Section 36 extended to the N.E. corner of Section 1, T. 14 N., R. 27 E.; thence south along the east line of said Section 1 extended to the S.E. corner of Section 24, T. 14 N., R. 27 E.; the point of beginning. (excluding Sections 28, 29, 32, 33 of T. 19 N., R. 24 E., and Sections 5 and 6 of T. 18 N., R. 24 E.)

EXCLUSION: Service is not authorized in the City of Moses Lake.

WASHINGTON UTILITIES AND TRANSPORTATION  
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By \_\_\_\_\_



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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The following authority was obtained by transfer of Certificate No. G-165, standing in the name of Dahl-Smyth, Inc.

GARBAGE AND REFUSE COLLECTION SERVICE in that portion of Grant County described as follows: Commencing at the S.W. corner of Sec. 35 T. 23 N., R. 26 E.; thence Northerly following the Grant County Westerly boundary extended to the N.E. corner of Sec. 1, T. 26 N., R. 28 E., thence East along the North line of Township 26 N. extending to the N.E. corner of Sec. 1, T. 26 N., R. 30 E., thence South along the East line of said Section 1 extended to the S.E. Corner of Sec. 36, T. 23 N., R. 30 E.; thence West along the South line of said Section 36 extended to the S.W. Corner of Sec. 35, T. 23 N., R. 26 E. the point of beginning.

10-29-07

**WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION**  
**1300 S EVERGREEN PARK DRIVE SW, PO BOX 47250**  
**OLYMPIA, WA 98504-7250**  
**(360) 664-1222**

**This certificate authorizes the following operations under the provisions of RCW Title 81:**

MURREY'S DISPOSAL COMPANY, INC.  
d/b/a OLYMPIC DISPOSAL  
PO BOX 399  
PUYALLUP, WA 98371

Cert No.  
G-9

**PID5 SOLID WASTE COLLECTION SERVICE** In that portion of Pierce County described as follows: Beginning in Section 30, Township 21 North, Range 4 E.W.M. at the point of intersection of the northeast Tacoma city limits and the Pierce County-King County line; thence south along the Tacoma city limits as they exist on April 1, 1974, to the intersection of the said Tacoma city limits with 72nd Street East; thence east on the centerline of 72nd Street East to Waller Road; thence south on the centerline of Waller Road to 112th Street; thence east along centerline on 112th Street to Meridian; thence south on the centerline of Meridian to the Kapowsin Highway; thence east on the centerline of the Kapowsin Highway to its intersection with Electron County Road; thence east along the centerline of Electron County Road to the southwest corner of Section 33 Township 18 North, Range 5 E.W.M.; thence continuing east along the centerline of the Section line between Township 17 North and 18 North, to its intersection with the East boundary line of Mt. Rainier National Park; thence south along said boundary to its intersection with the Pierce County-Yakima County boundary line; thence north along the Pierce County-Yakima County boundary to the intersection of the Pierce County-Yakima County-Kittitas County-King County line; thence west along said line to its intersection with the northeast boundary of the City of Tacoma, situated in Section 30, Township 21 North, Range 4 E.W.M. the point of beginning.

**PID6** Also in that portion of Pierce County described as follows: Starting at the point where the N.E. corporate limits of Tacoma intersects with the shoreline of Commencement Bay in Section 21, T. 21 N., R. 3 E.; thence following said shoreline in a clockwise direction to the point of intersection with the King-Pierce County line; thence southeasterly on said county line to the corporate limits of Tacoma (south line of Section 14, T. 21 N., R. 3 E.); thence following said corporate limits westerly in a counter-clockwise direction to the point of intersection with the shoreline of Commencement Bay in Section 21, T. 21 N., R. 3 E., the place of beginning.

WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION



By \_\_\_\_\_

**WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION**

**1300 S EVERGREEN PARK DRIVE SW, PO BOX 47250**

**OLYMPIA, WA 98504-7250**

**(360) 664-1222**

**This certificate authorizes the following operations under the provisions of RCW Title 81:**

PULLMAN DISPOSAL SERVICE, INC.  
135 NW HAROLD  
PULLMAN, WA 99163

Cert No.  
G-42

GARBAGE AND WASTE MATERIAL COLLECTION SERVICE In the City of Pullman and in that portion of Whitman County described as follows: Beginning at the Northeast corner of Section 24, T. 15 N., R. 45 E.; thence west along the north line of said Section 24 extended to the Northwest corner of Section 22, T. 15 N., R. 44 E.; thence south along the west line of said Section 22 extended to the Southwest corner of Section 22, T. 14 N., R. 44 E.; thence east along the south line of said Section 22 to the Southeast corner of said Section 22; thence, south along the extended east line of said Section 22 extended to the Southwest corner of Section 35, T. 14 N., R. 44 E.; thence east along the 1\*\*\* south line of said Section 35 extended to the Southeast corner of Section 33, T. 14 N., R. 45 E.; thence north along the east line of said Section 33 extended to the Southwest corner of Section 22, T. 14 N., R. 45 E.; thence east on the south line of said Section 22 extended to the Southeast corner of Section 24, T. 14 N., R. 45 E.; thence north along the east line of said Section 24 extended to the Northeast corner of Section 24, T. 15 N., R. 45 E., the point of beginning.

01-31-77

WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION



By \_\_\_\_\_