

**BEFORE
THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**In the Matter of Determining the Proper
Carrier Classification of, and Complaint for
Penalties Against:**

Somers Sunrise Enterprises, LLC

DOCKET TG-230191

ORDER 01

PETITION TO INTERVENE

1. Waste Management of Washington, Inc., d/b/a Waste Management of Greater Wenatchee (“Waste Management”) holds Certificate No. G-237 to operate under RCW Title 81. Pursuant to WAC 480-07-355(1), Waste Management petitions to intervene in the above-captioned proceeding. The information required for such a petition by WAC 480-07-355(1)(a) is as follows:

2. **Petitioner’s name and contact information:**

Waste Management of Washington, Inc.

720 4th Avenue, Suite 400

Kirkland, WA 98033-8136

Ame Wellman Lewis, Senior Legal Counsel (WSBA No. 31919)

Telephone: (206) 919-3236

Email: alewis6@wm.com

3. **Petitioner’s interest in the proceeding:**

The complaint against Somers Sunrise Enterprises LLC (“Somers Sunrise”) alleges that it

illegally transported solid waste for compensation without a certificate from the Commission in Grant County. Waste Management also has reason to believe that Somers Sunrise has provided solid waste transportation service in Chelan and Douglas Counties in recent years. Waste Management's certificate from the Commission grants it exclusive rights to provide such services in parts of all three of those counties. Waste Management therefore has an interest in determining whether the alleged illegal transportation services occurred in Waste Management's service territory, and the extent of any impact on Waste Management's business and its ability to serve its WUTC-jurisdictional customers.

4. Petitioner's position with respect to the matters in controversy:

As a certificated solid waste collection company, Waste Management has an interest in protecting the integrity of the solid waste collection systems in its certificated territory, including the safe and efficient provision of service by Waste Management and—subject to the Commission's supervision as provided by law—the solid waste transportation industry as a whole. Waste Management also has an interest in avoiding erosion of the customer base that provides the economic foundation for maintaining the safety and efficiency of that service.

5. Whether the petitioner proposes to broaden the issues in the proceeding and, if so, a statement of the proposed issues that clearly and concisely sets for the basis for the petitioner's proposal to broaden the issues:

Waste Management's proposes to broaden the issues, if at all, only to the extent of determining the extent to which Somers Sunrise's alleged illegal transportation services may have occurred within Waste Management's Commission-regulated service territory, and if so, the appropriate remedies.

6. The name and contact and contact information of the persons the petitioner has authorized to act as the petitioner's representatives, including attorneys:

In addition to Ame Wellman Lewis (contact information above), Waste Management's attorney in this action is:

Walker Stanovsky

Davis Wright Tremaine LLP

920 Fifth Avenue, Suite 3300

Seattle, WA 98104-1610

Telephone: (206) 757-8259

Email: WalkerStanovsky@dwt.com

In addition, Waste Management requests that the Commission and parties serve copies of all documents on:

Nancy Foley, Executive Legal Assistant

Telephone: (206) 757-8582

Email: NancyFoley@dwt.com

7. WHEREFORE, Waste Management respectfully petitions to participate as an intervenor in the proceeding on the complaint in this action.

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Respectfully submitted this 12th day of May, 2023.

Respectfully Submitted,
DAVIS WRIGHT TREMAINE LLP
Attorneys for Waste Management

By /s/ Walker Stanovsky
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