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**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

<p>In the Matter of the Application of  ADE DUMPSTERS, LLC,  For Authority to Operate as a Solid Waste Collection Company in Washington</p>	<p>DOCKET NO. TG-200250</p>
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**TESTIMONY OF  
KENT KRONENBERG  
RABANCO, LTD.**

**DECEMBER 9, 2020**

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<b>EXHIBIT NO.</b>	<b>DESCRIPTION</b>
Exh. KK-2	Rabanco's Current Tariff (Eastside Disposal)
Exh. KK-3	Rabanco's Current Tariff (Sea-Tac Disposal)
Exh. KK-4	Rabanco's drop-box service equipment list

**I. IDENTIFICATION OF WITNESS**

**Q: Will you please state your name, place of employment and business address?**

**A:** My name is Kent Kronenberg and I am the General Manager of the Bellevue and Lynwood business unit of Rabanco, Ltd. (“Rabanco”). My business address is 1600 127<sup>th</sup> Ave. Northeast, Bellevue, Washington.

**II. INTRODUCTION**

**Q: Will you please provide a brief description of your background and experience working with Rabanco, Ltd. (“Rabanco”)**

**A:** I have been working for Rabanco for a little over three years. In that time I have served as the General Manager for Rabanco’s Bellevue and Lynwood business unit, which operates in King County. I am also familiar with Rabanco’s Sea-Tac Disposal operations in King County. As General Manager for this business unit my responsibilities entail the overall safety of employees and the safe operation of our business, the delivery of expected customer service levels for our customers both in unincorporated areas and within municipalities, and the financial performance of the business.

**III. SUMMARY OF TESTIMONY**

**Q: What is the purpose of your testimony in this proceeding?**

**A:** My testimony is offered in response to prefiled testimony and exhibits offered by ADE Dumpsters, LLC (“ADE”) in its initial filing, including the testimony of Anthony Douglas (Exh. ACD-1T), Ken Gordon (Exh. KG-3T), and Shom Phillip Barrientos (Exh. SPB-T2). I am offering this testimony to support Rabanco’s protest to ADE’s application because it seeks authority to overlap Rabanco’s authority to provide solid waste collection service in portions of King County, which is service offered by Rabanco to the satisfaction of the Commission. This testimony is also offered to

1 demonstrate the harm to Rabanco and the public that would occur if ADE's application  
2 is granted.

3 **IV. EXHIBITS**

4 **Q: In support of your testimony, will you be sponsoring any exhibits?**

5 A: Yes, I am sponsoring the exhibits below:

- 6 1) Rabanco's Current Tariff (Eastside Disposal) – Exhibit KK-2  
7 2) Rabanco's Current Tariff (Sea-Tac Disposal) – Exhibit KK-3  
8 3) Rabanco's drop-box service equipment list – Exhibit KK-4

9  
10 **V. THE APPLICANT CANNOT SHOW RABANCO FAILED TO PROVIDE  
11 SERVICE TO THE SATISFACTION OF THE COMMISSION**

12 **Q: Have you reviewed the testimony and exhibits filed by ADE in support of its  
13 application?**

14 A: Yes as noted, I reviewed the prefiled testimony of Anthony Douglas, Ken Gordon and  
15 Shom Phillip Barrientos, as well as the exhibits submitted by ADE.

16 **Q: Do you have a general reaction to the prefiled testimony of Mr. Douglas (Exh.  
17 ACD-1T)?**

18 A: Yes, I do. ADE applied to obtain a certificate to provide solid waste collection service  
19 in King County, Pierce County and Thurston County. However, Mr. Douglas does not  
20 testify that ADE intends to provide universal solid waste collection service such as is  
21 required by Rabanco in its certificated territories. Instead, Mr. Douglas focuses his  
22 testimony entirely on ADE's intention to provide roll-off box service.

23 **Q: Beyond Mr. Douglas's testimony, is there any other reason that leads you to  
24 believe that ADE does not intend to provide general solid waste collection service?**

25 A: Yes, there is. ADE's application (Exh. ACD-1) states on page six that the conditions

1 justifying granting its application are “to fill the needs of the mid-level disposal of  
2 garbage, recycling, scrap metal and yard waste. Our containers are 15 yards and  
3 smaller and perfect for the smaller jobs in the commercial and private sectors.” But it  
4 doesn’t mention anything about service to residential customers in need of regular solid  
5 waste collection. Additionally, the equipment list in ADE’s application identifies only  
6 a single pickup truck and trailer. A company providing solid waste collection service  
7 throughout King, Pierce and Thurston Counties would need a variety of different types  
8 of equipment, including trucks for collection, toters, front-load containers, and roll-off  
9 containers not to mention trained and licensed personnel. Based on that, it appears to  
10 me that ADE does not appear to offer anything other than a niche roll-off service.

11 **Q: Does Rabanco offer solid waste collection service in King County under a G-  
12 Certificate?**

13 A: Yes. Rabanco holds certificate G-12, authorizing service in a portion of King County  
14 (among other places). In the area of King County authorized by Certificate G-12, we  
15 offer solid waste collection to the full extent we are authorized by the Commission.  
16 This includes, regular residential curb-side garbage, recycling and yard waste,  
17 commercial front-load containers, and roll-off box service. Essentially, we offer all of  
18 the services set forth in our current tariff filed with the Commission (Exh. KK-2).

19 **Q: Based on Mr. Douglas’s testimony, is there anything different about the service  
20 ADE intends to offer from that provided by Rabanco?**

21 A: As I mentioned, it doesn’t appear that ADE intends to provide any Commission-  
22 regulated service other than roll-off box solid waste collection service via “mid-size”  
23 containers. By mid-size containers he appears to mean containers in the range of 10-15  
24 cubic yards, and Rabanco definitely offers roll-off boxes in that size range, including  
25

1 both 10 cubic yards and 15 cubic yards. Thus, I do not believe the solid waste  
2 collection service ADE intends to offer is a different type of service than that offered by  
3 Rabanco.

4 **Q: Did ADE identify any solid waste collection services that are not available from**  
5 **Rabanco?**

6 A: No. Instead of solid waste collection service, Mr. Douglas appears to distinguish the  
7 service provided by ADE based upon the accessorial services offered along with that  
8 particular class of service. For example, Mr. Douglas discusses the fact that in addition  
9 to solid waste collection, ADE proposes to provide assistance with loading the  
10 container and janitorial clean-up services. While Rabanco is certainly concerned with  
11 cleaning up any spillage that might occur by its activities when collecting a container  
12 and our drivers will clean up any mess occurring during that process, janitorial services  
13 are not part of a regulated solid waste collection service offered under our certificate.

14 **Q: Are there are any customer needs identified by ADE's other witnesses (Mr. Shom**  
15 **Phillip Barrientos and Ken Gordon) that Rabanco is unable to meet?**

16 A: No. Ken Gordon mentioned needing delivery of a wide range of goods and materials,  
17 but that is not solid waste collection service. He also mentioned needing containers  
18 delivered to locations that are difficult to access, but I have no reason to believe  
19 Rabanco could not deliver a container to a reasonably accessible location at any of the  
20 sites to which ADE suggests it could deliver a container. Additionally, Mr. Barrientos  
21 testified that his company needs pickup and deliver multiple times a day, weekend  
22 pickup and delivery, as well as multiple containers. All of those options are readily  
23 available from Rabanco.

1 **Q: Do you have a response to Mr. Douglas's testimony regarding the potential**  
2 **impacts of the equipment in damage to a customer's property?**

3 A: Yes, I do. Mr. Douglas appears to suggest that none of the equipment used by the  
4 protestants for roll-off service is well-suited to its purpose and will cause significant  
5 property damage to residential customers' driveways. But I would whole-heartedly  
6 dispute that premise. The equipment Rabanco utilizes is well-suited for its purposes,  
7 and, although there are certainly individual nuances that need to be addressed servicing  
8 properties to accommodate a drop box, we haven't experienced the widespread or  
9 consistent or periodic damage that Mr. Douglas speculates might occur when using  
10 commercial trucks rather than a heavy-duty pickup truck.

11 **Q: Do you dispute that there were customer complaints against Rabanco identified by**  
12 **ADE in its Exhibit ACD-13?**

13 A: Yes, I do. Exh. ACD-13 appears to be a printout of a Better Business Bureau website  
14 page for Republic Services, Inc.'s headquarters in Phoenix rather than anything relating  
15 to Rabanco's operations in King County. In fact, the second customer complaint  
16 identified there clearly states it relates to service in Lubbock, Texas. The third, on page  
17 2, states it relates to "Seaside Sanitation," which is a Florida-based subsidiary of  
18 Republic Services, Inc. And there is nothing in any of these complaints to suggest in  
19 any way that they related to either Rabanco or roll-off box services in King County.

20 **Q: In your review of Exh. ACD-13, does it appear that Republic Services attempted**  
21 **to resolve customer complaints nonetheless?**

22 A: Yes. In fact, from my review it appears that Republic Services responded to just about  
23 every single customer in an attempt to resolve their complaints.

1 **Q: Has Rabanco done anything to determine whether there have been customer**  
2 **complaints made against it relating to its drop-box service in King County?**

3 A: Yes. We made a public records request to the Utilities and Transportation Commission  
4 for complaints made by customers against Rabanco in King County for the one-year  
5 period preceding ADE's application on March 24, 2020. There were very few  
6 customer complaints that we received in response, and none related to drop-box service.

7 **Q: How else does ADE attempt to distinguish the service it proposes to offer?**

8 A: Beyond those issues discussed above, ADE seems to suggest that it will provide same-  
9 day service and multiple trips per day to the same property.

10 **Q: Again, does Rabanco offer same-day drop off or collection service?**

11 A: Yes, it does. While most of our customers do not expect same-day service, it is  
12 certainly possible because we have a number of drivers and trucks that permit us some  
13 flexibility to provide that service.

14 **VI. POTENTIAL HARM TO THE PUBLIC CAUSED BY OVERLAPPING SERVICE**

15 **Q: Do you have any doubts that ADE could actually provide same-day service?**

16 A: Yes, I do. In fact, based on its equipment list showing only one truck and one trailer, it  
17 is unlikely that ADE could consistently provide same-day service across King, Pierce  
18 and Thurston Counties to a single, let alone multiple customers. For example, if  
19 multiple customers called for service on the same day, it doesn't seem at all possible to  
20 drop off containers at multiple properties with little advance notice. And if the  
21 customers each require disposal on the same day, you would also then have to factor in  
22 the time to transport the container to the transfer station for disposal. I also didn't see  
23 that ADE intends to obtain sufficient containers to provide service to multiple  
24 customers at the same time.



1 **Q: If ADE doesn't have sufficient containers to meet all of its customers' needs, do**  
2 **you believe it would be able to provide the same level of service as is provided by**  
3 **Rabanco?**

4 A: Not at all. In order to provide efficient, timely service and meet the Commission's  
5 expectations for satisfactory and universal service, Rabanco must proactively manage  
6 its equipment and employees, to ensure they are both sufficient to meet our customers'  
7 needs and that all of our infrastructure resources dedicated to serving the generating  
8 public are managed efficiently. If ADE is not expected to meet that same level of  
9 demand because it is merely duplicating Rabanco's service, it will be free to pick and  
10 choose its customers in order to maximize profits obtained from the limited equipment  
11 and employees available to it. This means some of ADE's potential customers might  
12 be ignored, jettisoned or made to wait long intervals without any of the consequences  
13 Rabanco would face as a universal solid waste collection service provider.

14 **Q: If ADE'S application were granted, what do you believe would be the financial**  
15 **impacts on Rabanco and the public?**

16 A: As I mentioned, Rabanco is required by the Commission and County service level  
17 ordinances to maintain sufficient equipment and employees to meet our customers'  
18 needs. ADE may be proposing to start small, with only a single truck and trailer, but  
19 the certificate it here seeks would authorize unlimited competition for all solid waste  
20 collection services. In my view, that means that if the certificate were granted, ADE  
21 would be free to grow its service and duplicate any of the services Rabanco offers.  
22 That could cause serious financial harm to Rabanco, and means there would be a lot of  
23 redundancy and potential duplications in the equipment used to provide services,  
24 thereby defeating the efficiency offered by a single company offering universal service.  
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**Q: Would the potential harm to Rabanco and the public exist even if ADE were truly seeking only authority to provide drop-box service?**

A: Yes. Even if you accept that ADE intends only to provide drop-box service, it would proportionately diminish Rabanco's revenue, while not necessarily reducing its costs in because we must still employ a certain number of drivers and acquire and maintain appropriate vehicles and equipment. This means rates to our remaining customers would likely have to be increased to make up for this cost attrition.

**Q: Does this conclude your testimony for the present time?**

A: Yes, it does.