

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In re Application GA-79244 of)	DOCKET NO. TG-032079
)	
Harold LeMay Enterprises, Inc.)	ORDER GRANTING
)	APPLICATION
for a permit to operate as a)	
TEMPORARY SOLID WASTE)	AND
COLLECTION COMPANY under the)	
provisions of chapter 81.77 RCW.)	SUSPENDING PERMIT NO.
.....)	G-97

1 On December 16, 2003, application GA-79244 was filed by Harold LeMay Enterprises, Inc., under the provisions of RCW 81.77, for temporary authority to operate Permit No. G-97, standing in the name of Pacific Disposal, Inc., pending transfer under application GA-79235.

2 The Commission having considered the application and being fully advised in the premises finds that it would be in the public interest to grant the application inasmuch as it falls within and pursuant to the provisions of WAC 480-70.

ORDER

3 WHEREFORE, IT IS ORDERED That the application is hereby granted that upon complying with the laws and rules relating to solid waste collection companies, a permit be issued to Harold LeMay Enterprises, Inc., of Tacoma, Washington, authorizing the carrier to operate as a temporary solid waste collection company as follows:

THIS CERTIFICATE SUBJECT TO MORTGAGE IN FAVOR OF THE US BANK NATIONAL ASSOCIATION AS SECURITY FOR A PROMISSORY NOTE IN THE PRINCIPAL AMOUNT OF \$2,175,210 AUTHORIZED BY COMMISSION ORDER TG-980964 DATED AUGUST 26, 1998.

GARBAGE COLLECTION SERVICE in that portion of Thurston County described as follows: Starting at the southeast corner of Section 12, T. 16 N., R. 1 W.; thence west along the south line of said Section 12 extended to the southwest corner of

Section 9, T. 16 N., R. 3 W.; thence north along the west line of said Section 9 extended to the southeast corner of Section 32, T. 17 N., R. 3 W.; thence west along the south line of said Section 32 extended to the southwest corner of Section 35, T. 17 N., R. 4 W.; thence north along the west line of said Section 35 extended to the southeast corner of Section 34, T. 18 N., R. 4 W.; thence west along the south line of said Section 34 extended to the southwest corner of Section 33, T. 18 N., R. 4 W.; thence north along the west line of said Section 33 extended to the northwest corner of Section 21, T. 18 N., R. 4 W.; thence east along the north line of said Section 21 extended to the northeast corner of Section 20, T. 18 N., R. 3 W.; thence south along the east line of said Section 20 extended to the northwest corner of Section 33, T. 18 N., R. 3 W.; thence east along the north line of said Section 33 extended to the southeast corner of the southwest quarter of the southwest quarter of Section 27, T. 18 N., R. 2 W.; thence north on a line projected to the northeast corner of the northwest quarter of the northwest quarter of Section 10, T. 18 N., R. 2 W.; thence east along the north line of said section extended across Budd Inlet to the east shoreline of said inlet; thence following said east shoreline in a northerly direction to Boston Harbor; thence following the shoreline of Dana Passage in a northeasterly direction to Johnson Point; thence following the shoreline of Nisqually Reach in a southeasterly direction to the west bank of the Nisqually River; thence following said river bank in a southerly direction to a point where it intersects with the east line of Section 8, T. 18 N., R. 1 E.; thence south on the east line of said section projected to the S.E. corner of Section 32, T. 17 N., R. 1 E.; thence west on the south line of said section projected to the N.E. corner of Section 1, T. 16 N., R. 1 W.; thence south on the east line of said section projected to the S.E. corner of Section 12, T. 16 N., R. 1 W.; the point of beginning.

GARBAGE AND REFUSE COLLECTION SERVICE from the Cedar Creek Youth Camp (formerly Cedar Creek Youth Camp and Capitol Peak Forest Camp) located in Sections 11 and 12, T. 16 N., R. 4 W. in Thurston County, Washington.

The following authority was obtained by transfer of Cert. No. G-172 standing in the name of A.L. Parks, Sr., d/b/a Thurston County Recycling under authority of Order M.V.G. No. 911.

REFUSE COLLECTION SERVICE consisting of discarded paper and paper products, glass and metal all for recyclable purposes only in Thurston County.

THE FOLLOWING AUTHORITY WAS TRANSFERRED TO CERTIFICATE G-98; CERTIFICATE G-97 NO LONGER AUTHORIZES SOLID WASTE COLLECTION SERVICE in that portion of Thurston County described as follows:

Starting at southwest corner of Section 33, T18N, R4W, thence north along west line of said section extended to the northwest corner of Section 21, T18N, R4W, thence east along north line of said section extended to the northeast corner of Section 20, T18N, R3W, thence south along the east line of said section extended to the southeast corner of Section 32, T18N, R3W; thence west along the south line of said section extended to the southwest corner of Section 33, T18N, R4W, the point of beginning.

Also, within Section 33, T18N, R2W, a piece of territory bounded on the north by the north line of said section and on the south by Sapp Road. (The result will be a new boundary between the certificates of Sapp Road instead of the north line of Section 33.)

SOLID WASTE COLLECTION SERVICE in that portion of Thurston County described as follows:

Sections 7 and 8, T16N, R3W.

TO THE EXTENT THAT THE AUTHORITY GRANTED IN THIS ORDER DUPLICATES ANY AUTHORITY PREVIOUSLY GRANTED OR NOW HELD, IT SHALL NOT BE CONSTRUED AS CONFERRING MORE THAN ONE OPERATING RIGHT NOR SHALL ANY DUPLICATING RIGHTS BE AVAILABLE FOR PURPOSES OF TRANSFER.

- 4 The Commission further orders that the tariff filed in connection with this application will become effective at 12:01 a.m. on the day following the service date of this order.
- 5 This permit shall automatically terminate upon either the entry of a Commission order granting or approving withdrawal of Application GA-79235 for authority to transfer all rights under Permit No. G-97 from Pacific Disposal, Inc., to Harold LeMay Enterprises, Inc., or in case Application GA-79235 is denied, dismissed, or the relief sought under Application GA-79235 is limited in any way by

Commission order, upon the expiration of the last day for seeking review of the Commission order or a later date fixed by order of a reviewing court.

- 6 IT IS FURTHER ORDERED That Permit No. G-97 standing in the name of Pacific Disposal, Inc., be, and the same is hereby suspended until further order of the Commission pending disposition of transfer application GA-79235.

DATED at Olympia, Washington and effective this 31st day of December, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

PATRICK J. OSHIE, Commissioner