

September 16, 2009

Dave Danner, Director  
Washington Utilities and Transportation Commission  
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Dear Commissioners:

The eleventh hour submission by Mr. Wilkowski is transparent at best. Mr. Wilkowski has for the past several months enjoyed the benefits of running the Transfer Station at Point Roberts, collecting monies from everyone as they have had to endure lineups to dispose of their solid waste and recyclables. He has selfishly inconvenienced all of his previous customers and particularly his commercial customers who have had to make trips to the Transfer Station and wait in line ups longer than those at both Canada and US Customs ports of entry into and out of Point Roberts.

It is clear, that he is buying as much time as he can by prolonging the inevitable. In the interim, he is still collecting all of the Point Roberts Solid Waste and doing so at a very comfortable profit with very little in the way of expenses, and little if any accountability for his actions to date.

In reference to the two submissions from Arthur Wilkowski and/or Point Recycling and Refuse:

**September 14<sup>th</sup> Submission**

Very simply put, Mr. Wilkowski is asking the commission to consider his opinion when Mr. Wilkowski would not comply with the commissions requests to provide documentary evidence in a previous case in which his G Certificate was being considered for revocation. Rather than comply, Mr. Wilkowski simply requested that his G certificate be cancelled, and he abandoned his community responsibilities to provide curbside collection of Solid Waste in Point Roberts.

This has been a pattern with Mr. Wilkowski. He previously arbitrarily withdrew from providing curbside collection of source separated recyclables in Point Roberts despite the fact that he was obligated to do so under his tariff and by law. He had twice attempted to have this removed from his tariff, and twice it was the UTC's staff recommendation that he

must continue to provide these services. When he refused, the WUTC, Whatcom County and three individuals took him to task and requested that his G certificate be revoked.

An application for the authority to collect source separated recyclables from curbside in Point Roberts was made by Freedom 2000 in August of 2008. Mr. Wilkowski protested that application as the existing G certificate holder for Point Roberts despite the fact that he refused to provide those services.

**September 15<sup>th</sup> Submission - Request for clarification of rules under WAC 480-70-031**

Mr. Wilkowski is neither a resident of Point Roberts, nor is he a company as described in WAC 480-70-041 wherein it states "*Company*" means a solid waste collection company, nor is he a customer, as there is no G certificate holder currently providing collection services in Point Roberts and no one is receiving service, nor is he an applicant.

Given that Mr. Wilkowski does not meet the criteria as outlined below

**WAC 480-70-031**

**Resolving disputes about the meaning of these rules.**

If the interpretation of any rule in this chapter is questioned by a company, a customer, or an applicant, a request for clarification may be filed with the commission.

He is not entitled to request a clarification.

I believe that it is decision time. Will the commission grant a G certificate to Freedom 2000 or does staff have any more questions that they wish to ask?"