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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

vs.

POINTS RECYCLING AND REFUSE,
LLC,

Respondent.

WHATCOM COUNTY,

Complainant,

vs.

POINTS RECYCLING AND REFUSE,
LLC,

Respondent.

RENEE COE, SHELLEY DAMEWOOD
and SHANNON TOMSEN,

Complainant,

vs.

POINTS RECYCLING AND REFUSE,
LLC and WHATCOM COUNTY,

Respondents.

DOCKET NO. TG-080913

DOCKET NO. TG-081089

DOCKET NO. TG-082129

DECLARATION OF BRAD LOVAAS
IN RESPONSE TO NOTICE OF
REQUIRED DECLARATION

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DECLARATION

BRAD LOVAAS, hereby declares as follows:

I am Executive Director of the Washington Refuse and Recycling Association (WRRRA), a non-profit trade association, which represents the vast majority of solid waste collection companies in the State of Washington. Points Recycling and Refuse is a member of WRRRA, and in view of that status, and WRRRA's interest in any litigation involving a "G" Certificate, I have followed the events in Point Roberts, which have led to these various legal actions, closely.

At the request of James K. Sells, WRRRA's General Counsel and Point's attorney in these matters, Judge Rendahl allowed me to be present at the mediation session which took place in Bellingham on February 25, 2009. Thus, I was present, but in accordance with Judge Rendahl's wishes, did not take part in the settlement discussions, although during breaks I was present when Mr. Sells and Mr. Wilkowski discussed the proceedings.

I can state unequivocally that I have never spoken to, met, or in any manner whatever, had any contact with anyone from the Point Roberts newspaper, regarding this, or any other matter. I signed the Confidentiality Agreement and have strictly adhered to its terms. I am aware that Judge Rendahl circulated a written summary of what was at least a tentative agreement amongst the participants, but I did not receive a copy and am unaware of its contents.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

SIGNED this 2nd day of April, 2009, at Lacey, Washington


BRAD LOVAAS

1 CERTIFICATE OF SERVICE

2 I hereby certify that on April 2, 2009, I caused to be served five (5)
3 copies of the foregoing document to the following address via first class mail,
postage prepaid to:

4 Dave Danner, WUTC Executive Secretary
5 Washington Utilities and Transportation Commission
6 1300 S. Evergreen Park Dr. S.W.
7 P.O. Box 47250
8 Olympia, WA 98504-7250

9 I certify I have also provided to the Washington Utilities and Transportation
Commission's Secretary an official electronic file containing the foregoing
document via email to: records@wutc.wa.gov

10 and an electronic PDF copy and paper copy mailed first class mail, postage
prepaid to:

11 Dan Gibson
12 Whatcom County Deputy Prosecutor
13 311 Grand Ave., Suite 201
14 Bellingham, WA 98225
dgibson@co.whatcom.wa.us

15 Jennifer Cameron-Rulkowski
16 Assistant Attorney General
17 1400 S. Evergreen Park Dr. SW
18 PO Box 40128
Olympia, WA 98504-0128
jcameron@utc.wa.gov

19 and a paper copy by first class mail, postage prepaid to:

20 Renee Coe
21 1986 Cedar Park Drive
Point Roberts, WA 98281

22 Shelley Damewood
23 119 Kilarney
Point Roberts, WA 98281

24 Shannon Tomsen
25 2125 Whalen Drive
26 Point Roberts, WA 98281

Decl of Brad Lovaas in Resp to Ntc of Req'd
Declaration

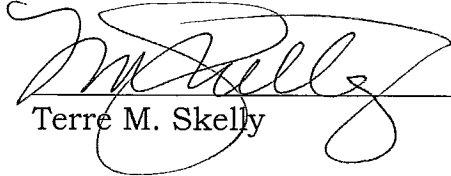
- 3

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Ryan Sells Uptegraft, Inc. P.S.
9657 Levin Road N.W., Suite 240
Silverdale, WA 98383
360-307-8860 Fax 360-307-8865

1 I swear under the penalty of perjury of the laws of the State of
2 Washington that the foregoing is true and correct.

3 DATED and signed at Silverdale, Washington on April 2, 2009.

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5 _____
6 Terre M. Skelly

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