



WASHINGTON REFUSE & RECYCLING ASSOCIATION

January 15, 2004

Ms. Carole Washburn
 Executive Secretary
 Washington Utilities and
 Transportation Commission
 P. O. Box 47250
 Olympia, WA 98504-7250

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 COMMISSION

Dear Ms. Washburn:

Thank you for the continued opportunity to comment on the proposed "Affiliated Interest" rules for solid waste collection companies. The following remarks refer to the Working Draft, Solid Waste Companies, dated November 24, 2003.

First, the idea of separating the rules for the various regulated industries is a good one. In particular, solid waste differs substantially from, for example, telecommunications, and it is much more "user friendly" to provide each industry with its own rules.

Secondly, the simplification of the exemption session makes a great deal of sense, and provides for a much more "readable" rule.

Third, we are happy to see the areas to which the reporting requirements do not apply to be clearly listed. In particular, we were concerned about payments for goods, services and commodities being reported, as these transactions often take place with little or no pre-planning and frequently involve small amounts of money.

We also note that transactions which have been "previously approved by the Commission" are exempt. This is a good idea, but may result in the Commission "approving" a great number of small transactions and doing so in each case by order. Perhaps it would be better and more efficient for everyone involved if the words "approved by" were replaced by "reported to." That way if the Commission sees something in any one of the various filings we make, it can require more information or disapprove of the transaction altogether. It seems that one of everyone's goals here is to keep the reporting process as simple as possible, along with it being as effective as possible.

Finally, as we have previously indicated, we are seriously concerned about the risk of confidential information being available to competitors by reason of this process. As your Attorney General has correctly observed, the solid waste industry, for some reason, probably simple inadvertence, does not have the statutory protections afforded other WUTC regulated industries. If and when this rule takes effect, we intend to seek these same protections by legislative action. We hope the Commission will support that effort.

Again, thank you for the opportunity to comment. Please feel free to contact me at any time with questions and/or comments.

Very truly yours,

WASHINGTON REFUSE AND
RECYCLING ASSOCIATION

A handwritten signature in cursive script that reads "Brad Lovaas". The signature is written in black ink and is positioned to the left of the typed name.

BRAD LOVAAS,
Executive Director