

Point Recycling and Refuse

P.M.B. 1542, 145 Tye Drive, Point Roberts, WA 98281
Business Phone: (360) 945-1516

December 21, 2009

Secretary
Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-47250

Dear Sirs:

Please find attached the Witness and Exhibit List (Original and seven copies) for Point Recycling and Refuse Company for TG-091687.

Please note that due to time and distance, one witness for Point Recycling and Refuse will be calling in by phone and arrangements will need to be made.

Sincerely,



Arthur Wilkowski
Point Recycling and Refuse Company

RECEIVED
RECORDS MANAGEMENT
2009 DEC 22 AM 8:17
STATE OF WASH.
UTIL. AND TRANSP.
COMM. DIVISION

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BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Application of
Points Recycling and Refuse L.L.C.
d/b/a Point Recycling and Refuse
For Solid Waste Collection Services.

Docket No. TG-081576
TG-091687 (Consolidated)
Applicant's Witness and Exhibit List

WITNESSES:

Arthur Wilkowski: Owner Point Recycling and Refuse Company
Tony Slater: Owner Neptune Enterprises (by phone)

EXHIBITS:

- Arthur Wilkowski:
 - Point Recycling and Refuse Application and Tariff
 - Letter From Point Recycling to the WUTC 12/2/09
 - Response to Whatcom County
 - Letter From Point Recycling to the WUTC 12/2/09
 - Comments on Demand for Services
 - Letter From Point Recycling to the WUTC 12/2/09
 - Temporary Operating Authority

STATE OF WASH
UTIL. AND TRANSP
2009 DEC 22 AM 8:17
REGISTRATION

1 EXHIBITS: continued

2 Tony Slater:

3 Customer's request for service (by phone)

4 An original and seven (7) copies of this Witness List and Exhibits are being filed, and
5 copies of same furnished to all parties.

6 Respectfully Submitted this 21st day of December 2009.



7 Arthur Wilkowski
8 Point Recycling and Refuse

9 CERTIFICATE OF SERVICE

10 I hereby certify that on December 21nd, 2009, I caused to be served the original and
11 seven (7) copies of the foregoing document to the following address via first class mail,
12 postage prepaid to:

13 Dave Danner, WUTC Executive Secretary
14 Washington Utilities and Transportation Commission
15 1300 S. Evergreen Park Dr. S.W.
16 PO Box 47250
17 Olympia, WA 98504-7250

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

21 I certify I have also mailed a copy, first class postage paid to:

22 Attorneys for applicant Donald L. Anderson
23 Eishower & Carlson, PLLC
24 1200 Wells Fargo Plaza
25 1201 Pacific Avenue
26 Tacoma, WA 98402

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

29 DATED and signed at Point Roberts, Washington on December 21st, 2009.



Arthur Wilkowski

Point Recycling and Refuse

P.M.B. 1542, 145 Tye Drive, Point Roberts, WA 98281
Business Phone: (360) 945-1516

October 22, 2009

Secretary
Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-47250

Dear Sirs:

This filing is submitted by: Points Recycling and Refuse L.L.C. d/b/a Point Recycling and Refuse Company.

Point Recycling is seeking Expedited Temporary Authority; Temporary Authority; and Permanent Authority to service that area of Whatcom County known as Point Roberts, formally served under G-155.

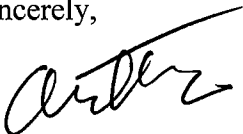
Point Recycling is only proposing to provide Special Cleanup and Drop-Box Service to this territory. The Company does not believe that there is enough customer volume to fund full roadside garbage collection services. There is an urgent need for on-call services by many members of the community. This need should be met immediately while long-term solutions are considered by the Commission and Whatcom County. Granting of Temporary or even Permanent Authority does not prohibit other future options such as the Commission's granting of a parallel certificate for roadside collection or; if the Commission finds no suitable applicant, Whatcom County contracting with a Canadian garbage/recycling company to provide roadside service. Separating on-call services would actually make finding a Canadian service provider easier.

Point Recycling has served the Point Roberts community for over 10 years with a high level of customer satisfaction. We were deeply saddened that we were forced by actions of Whatcom County and a handful of people to surrender our Certificate G-155. Despite an uncertain future, we have continued to serve as we are able. It is because of our dedication and commitment that solid waste and recyclables continue to be transported from this community without interruption and minimal complaints.

While we are unable to provide the services of a full certificate due to the economic limitations of this small territory, we are proposing those services we can provide for our community.

If you have questions regarding this filing, please contact Arthur Wilkowski. Phone number 360-945-1516, Fax 360-945-0414, E-mail prandr@pointroberts.net.

Sincerely,



Arthur Wilkowski, Owner/Operator

Cc: Whatcom County Council Chair



APPLICATION FOR CERTIFICATE TO OPERATE AS A SOLID WASTE COLLECTION COMPANY UNDER CHAPTER 81.77 RCW

This application packet contains the following information:

- Application Forms**
- Sample Standard Tariff Format**
- WAC 480-70 – Rules Relating to Solid Waste Collection Companies**
- “Your Guide to a Satisfactory Safety Rating”**

You may not begin operations as a solid waste collection company until you are granted authority and a solid waste certificate is issued to you. Applications are subject to public notice and protest and may be set for hearing.

You must file and maintain Public Liability and Property Damage Insurance (Form E) with the Washington Utilities and Transportation Commission (Commission) covering each vehicle operating under your solid waste certificate in the state of Washington. Insurance or bond minimum limits are:

Vehicles less than 10,000 GVWR	\$300,000 combined single limit of public liability and property damage insurance (Form E)
Vehicles 10,000 GVWR and more	\$750,000 combined single limit of public liability and property damage insurance (Form E)
Transport quantities of biomedical waste not subject to federal regulation	\$1,000,000 combined single limit coverage (Form E)
Transport quantities of hazardous or biomedical waste that are subject to federal regulation	The federal minimum combined single limit coverage (see Title 49 CFR Part 387.301 & 303)

You may contact our Licensing Services and Compliance staff for assistance at 360-664-1222. The Commission has a policy of providing equal access to its services. If you need special accommodations, please call 360-664-1133 or TTY 360-586-8203.

Please submit application forms, appropriate attachments and proof of insurance to the address below:

Washington Utilities and Transportation Commission
 1300 S. Evergreen Park Drive S.W.
 P.O. Box 47250
 Olympia, Washington 98504-7250

If paying by credit card, you may fax your application to: 360-586-1181 or mail it to the address listed above.

Please refer to our website www.wutc.wa.gov for WORD and PDF versions of the application, standard tariff format, adoption notice, etc.



**APPLICATION FOR CERTIFICATE OF PUBLIC
CONVENIENCE TO OPERATE AS A SOLID WASTE
COLLECTION COMPANY UNDER CHAPTER 81.77 RCW**

PHONE 360-664-1222

FAX 360-586-1181

1300 South Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250

TTY 360-586-8203 TTY TOLL FREE 1-887-210-5963

WEBSITE: www.wutc.wa.gov

The UTC has a policy of providing equal access to its services. If you need special accommodations, please call 360-664-1133.

Type of Solid Waste Authority Requested	Fee Required
<input checked="" type="checkbox"/> <u>Expedited Temporary Authority</u> (to meet an urgent need for up to thirty days) - Complete entire application and Attachment A (WAC 480-70-136)	\$ 25
<input type="checkbox"/> <u>Temporary Authority</u> (to meet an immediate or urgent need) – Complete entire application and Attachment A	\$ 25
<u>New Permanent Authority</u> (including extension of authority)– (check appropriate box below) Complete entire application and submit a proposed tariff as outlined in the standard tariff form	\$200
<input type="checkbox"/> New Certificate	
<input type="checkbox"/> Extension of Existing Certificate No. G-_____	
<u>Permanent Authority to Transfer</u> (WAC 480-70-090) (check appropriate box below) – Complete entire application and Attachments B	\$200
<input type="checkbox"/> All of Certificate No. G-_____	
<input type="checkbox"/> Portion of Certificate No. G-_____	
<input type="checkbox"/> <u>Reinstatement of Cancelled Certificate</u> (must be filed within 30 days of cancellation) –Include a statement justifying the reinstatement and complete sections 1, 2 and 8	\$200
<input type="checkbox"/> <u>Name Change</u> – does not include changes resulting in change in ownership – Complete section 1 and Attachment C	\$ 35
<input type="checkbox"/> <u>Mortgage of Certificate</u> – Complete section 1 and Attachment D	\$ 35
<u>Lease of Authority</u> – Complete entire application and Attachment B	\$200
<input type="checkbox"/> All of Certificate	
<input type="checkbox"/> Portion of Certificate No. G - _____	

SECTION 1 – APPLICATION INFORMATION

Name of Applicant: Points Recycling and Refuse L.L.C		USDOT #: 924014	
Trade Name(s) (if applicable): Point Recycling and Refuse Company			
Phone Number: (360) 945-1516		Fax Number: (360) 945-0414	
E-Mail: prandr@pointroberts.net			
Business Address		Mailing address (if different from Business Address)	
Street 2005 Johnson Rd		Street P.M.B 1542, 145 Tye Dr	
City Point Roberts		City Point Roberts	
State/Zip WA 98281		State/Zip WA 98281	

FOR OFFICIAL USE ONLY

Date Filed:	Docket #: TG-	Tariff:	Permit Issued G-
Staff Assigned:	Insurance	Related App ID:	Map:
DOL/SOS	Reception #:	227-02:	032-05:

SECTION 2 – BUSINESS INFORMATION

Type of business structure:

Individual Partnership Corporation Other (LP, LLP, LLC) LLC

UBI No. 601-932-469

List the name, title, and percentage of partner's share or stock distribution for major stockholders:

<u>Name</u>	<u>Title</u>	<u>Stock Distribution or Percentage of Shares</u>
<u>Arthur Wilkowski</u>	<u>Manager</u>	<u>100%</u>

Indicate below the commodity to be hauled and the territory in which you wish to operate. **PLEASE NOTE** Territory must be described using boundaries such as streets, avenues, roads, highways, townships, ranges, city limits, county boundaries or other geographic descriptions. In addition to describing the territory, you must file a map that meets the requirements of WAC 480-70-056 and clearly shows the described territory.

On-call Special cleanup/pickup services and On-Call and Permanent drop-box service for solid waste and recyclables in That Area of Whatcom County knows as Point Roberts.

Not providing commercial garbage dumpster service, residential garbage collection or residential recycling collection

State below the conditions that justify the granting of this application. If you are applying for temporary certificate authority, be sure your statement addresses and supports the question of "immediate and urgent need."

On-call special clean-up and drop-box services are currently not available by a regulated company. Point Recycling has previously provided those services for 10 years with great customer satisfaction. Approval of this application would allow us to continue to provide those services under regulation with customer protections. We receive many requests for this service.

What is your USDOT number: 924014 (If you currently don't have one, you can go online and apply at www.fmcsa.dot.gov/online-registration or contact (360)596-3816 or (360)596-3803 for assistance.)

Do you currently hold, or have you ever held, a solid waste certificate?

No Yes If yes, please indicate your certificate number: G- 155

Have you ever applied for and been denied a certificate to transport solid waste?

No Yes If yes, please explain: _____

Please tell us about your experience and knowledge of transportation or solid waste, including motor carrier driver and equipment safety requirements. _____

19 years solid waste experience, 6 years managing Nooksack Valley Disposal and San Juan Sanitation, 10 years operating Point Recycling G-155 and serving the Point Roberts Community. I understand all WUTC operational and regulatory requirements.

Have you been cited for violation of state laws or Commission rules? No Yes

If yes, please explain: Minor violations on record under G-155.

SECTION 3 – RATES AND TARIFFS

Is this application to operate under a contract?

No Yes If yes, submit the original or a duplicate original of each contract under which service will be performed. The contract must contain all the elements stated in WAC 480-70-146.

If this application is for temporary authority, a new certificate, or extension of existing certificated authority, you must attach two copies of your proposed tariff using either the standard tariff format included in this package, or an approved alternate format. All tariffs submitted must comply with the provisions of WAC 480-70-226 through WAC 480-70-351.

If this application is a transfer or a lease of authority from an existing certificate, you must either file a new tariff at the same rate levels as on file, or you must adopt the current certificate holder's tariff. To file a new tariff, use the standard tariff format attached to this application or an approved alternate format. Indicate which option you will use:

- Adopt
 File a new tariff

SECTION 4 – FINANCIAL STATEMENT

You may attach a Balance Sheet, Profit and Loss Statement, or business plan if available.

ASSETS		LIABILITIES	
Cash in Bank	\$20,000.00	Salaries/Wages Payable	\$zero
Notes Receivable	\$zero	Accounts Payable	\$20,000.00
Accounts Receivable	\$35,000.00	Notes Payable	\$zero
Investments	\$zero	Mortgages Payable	\$zero
Other Current Assets	\$	Contracts and Bonds Payable	\$zero
Prepaid Expenses	\$zero	TOTAL LIABILITIES	\$20,000.00
Land and Buildings	\$250,000.00	NET WORTH	
Trucks and Trailers	\$40,000.00	Preferred Stock	\$
Office Furniture	\$1,000.00	Common Stock	\$
Other Equipment	\$5,000.00	Retained Earnings	\$
Other Assets	\$	Capital	\$
TOTAL ASSETS	\$351,000.00	TOTAL LIABILITIES AND NET WORTH	\$331,000.00

SECTION 5 – EQUIPMENT LIST

Describe the equipment that will be used (attach additional sheets if necessary). Vehicles must pass inspection and be issued a valid Commercial Vehicle Safety Alliance inspection decal before your application may be granted.

Year	Make	License Number	Vehicle ID Number	Gross Vehicle Weight	Type of vehicle
1972	Chev	A45377K	72	6,000	Pickup Truck
1982	GMC	A44165B	6	48,000	Roll-off Truck
1993	CCC	90561PR	93	48,000	Packer Truck

SECTION 6 – SAFETY AND OPERATIONS

In each of the categories show below, list the person and position responsible for understanding and complying with the Federal Motor Carrier Safety Regulations (FMCSR) and Washington State laws and rules. Please refer to the WAC rules, Fact Sheets, and publication "Your Guide to Achieving a Satisfactory Safety Rating" for assistance with requirements that may apply to your specific operations.

SAFETY RESPONSIBILITIES

COMMERCIAL DRIVERS LICENSE (CDL) REQUIREMENTS (Title 49, Code of Federal Regulations Part 383) Any driver who operates a vehicle that meets the definition of a commercial motor vehicle must have a valid CDL.

Name: Arthur Wilkowski

Position: Manager

DRIVER QUALIFICATION REQUIREMENTS (Title 49, Code of Federal Regulations Part 391) Driver's must meet minimum qualification requirements and each company must maintain driver qualification files for each driver.

Name: Arthur Wilkowski

Position: Manager

DRIVERS HOURS OF SERVICE (Title 49, Code of Federal Regulations Part 395) Drivers must maintain logs and each company must maintain true and accurate hours of service records for each driver.

Name: Arthur Wilkowski

Position: Manager

CONTROLLED SUBSTANCES AND ALCOHOL TESTING (Part 382) All persons who drive commercial vehicles requiring a CDL must be in a Controlled Substance and Alcohol Testing program that complies with the FMCSR in 49 CFR Part 382 and 49 CFR Part 40.

Each company will have in place a system for complying with FMCSR governing alcohol and controlled substances testing requirements (49 CFR Part 382 and 49 CFR Part 40).

Name: Arthur Wilkowski

Position: Manager

INSPECTION, REPAIR AND MAINTENANCE (Title 49, Code of Federal Regulations Part 396) Every motor carrier shall systematically inspect, repair, and maintain all motor vehicles subject to its control.

Name: Arthur Wilkowski

Position: Manager

OPERATIONAL RESPONSIBILITIES

List the person and/or position responsible for understanding and complying with the requirements of each category shown below.

TARIFF RATES AND CHARGES (WAC 480-70-226 through WAC 480-70-351) Companies must file with the Commission a tariff showing all rates and charges it will charge its customers, together with rules that govern how rates and charges will be assessed.

Name: Arthur Wilkowski

Position: Manager

ANNUAL REPORTS and REGULATORY FEES (WAC 480-70-071 & 076) Companies must annually file a report of their financial operations and pay regulatory fees.

Name: Arthur Wilkowski

Position: Manager

BIOMEDICAL WASTE (WAC 480-70-426 through 476) Companies that transport biomedical waste must handle and transport that waste according to the appropriate requirements of the federal hazardous materials regulations (49 CFR Parts 170-189) and the additional requirements in these rules.

Name:

Position:

CUSTOMER SERVICE –Person responsible for customer service complaints, customer notice requirements, and compliance with county solid waste plans.

Name: Arthur Wilkowski

Position: Manager

STATE OF WASHINGTON – general laws, rules and regulations: Individuals and companies doing business in the state of Washington must comply with the regulations of local, state, and federal agencies. Please state the name and position of the person in your organization who will be responsible for ensuring compliance with the laws of the state of Washington, such as, but not limited to: Department of Labor and Industries (industrial insurance, safety, prevailing wage); Department of Licensing (vehicle and drivers licenses, business licensing, Unified Business Identifier (UBI number), fuel permits, fuel tax); Secretary of State (corporate registrations); Department of Transportation (over-size or over-weight permits); Department of Revenue and Internal Revenue Service (taxes); and Employment Security.

Name: Arthur Wilkowski

Position: Manager

SECTION 7 – HEARING INFORMATION

If the Commission assigns this application for formal hearing, estimate the number of witnesses you will present and the amount of time you will need for your presentation.	
Number of witnesses: 3	Amount of time: 10 minutes
Will an attorney be representing you? NO	
Attorney's name:	Attorney's phone number:
Attorney's address:	Fax Number:
Street	E-mail:
City, State, Zip	

TYPE OF PAYMENT:

<input type="checkbox"/> Check	<input type="checkbox"/> Money Order	<input type="checkbox"/> AMEX	<input type="checkbox"/> Discover	<input type="checkbox"/> MasterCard	<input type="checkbox"/> Visa
Credit Card Information:					
Expiration Date: _____			Amount: _____		

SECTION 8 – DECLARATION OF APPLICANT

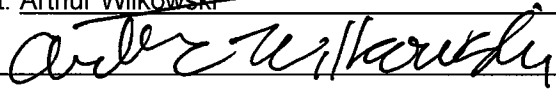
I understand that filing this application **does not** in itself constitute authority to operate as a solid waste collection company.

As the applicant for a solid waste collection company certificate, I understand the responsibilities of a solid waste collection company, and I am in compliance with all local, state, and federal regulations governing business in the state of Washington.

I certify under penalty of perjury under the laws of the State of Washington that the information contained in this application is true and correct.

I certify that I am authorized to execute and file this document.

Printed name of applicant: Arthur Wilkowski

Signature of Applicant: 

Date, County, State: October 22nd, 2009 Whatcom County Washington

Point Recycling and Refuse

P.M.B. 1542, 145 Tye Drive, Point Roberts, WA 98281
Business Phone: (360) 945-1516

October 22, 2009

Penny Ingrahm
Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-47250

Re: Point Recycling Special Cleanup and Drop Box Financial Projections

Dear Penny,

Historical data from Point Recycling indicates a projected average annual non-pass through revenue of approximately \$8,000. This is obviously insufficient to fund a stand-alone operation. We can provide these services with existing equipment from our current operations. There is no way to make this economically viable or profitable considering that several unlicensed Canadian drop-box companies are operating in Point Roberts. This is an activity that can provide a few more hours a week of employment for my drivers and to share some equipment costs as able.

The goal is to provide an essential service and to have rates that cover the direct costs and reasonable allocation of overhead.

Projected Revenue:	\$8,000.00	
Admin and Office Expense:	\$2,000.00	
Direct labor:	\$5,000.00	
Fuel and Truck Expenses:	\$1,000.00	

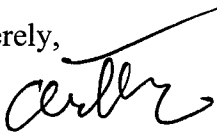
Revenue over expenses: Zero

Allocation Methodology:

Direct Labor expenses fully allocated bases on billed hours
Administration allocated at \$1,500 per year
Office/billing/postage and utilities allocated at \$500.00 per year
Fuel and Truck expenses allocated based on operational hours of equipment
Business taxes allocated as actual

I expect that after a base-year of operations, the allocated expenses will exceed revenue. Rates will be set at a level that is acceptable to the customers and to cover a reasonable level of company expenses

Sincerely,



Arthur Wilkowski, Owner/Operator

Tariff No. 2
Of Point Recycling and Refuse Company

Cancels

Tariff No. 1
Of Point Recycling and Refuse Company

Points Recycling and Refuse Company L.L.C.
(Name of Solid Waste Collection Company)

Point Recycling And Refuse Company
(Registered trade name of Solid Waste Collection Company)
Certificate Number G- 155

**NAMING RATES FOR THE COLLECTION, TRANSPORTATION, AND DISPOSAL OF
SOLID WASTE, AND IF NOTED, RECYCLING AND YARDWASTE
IN THE FOLLOWING DESCRIBED TERRITORY:**

(NOTE: If this tariff applies in only a portion of a company's certificate authority,
a map accurately depicting the area in which the tariff applies must be attached to the tariff)

Area of Whatcom County known as Point Roberts

Name of person issuing tariff Arthur Wilkowski

Mailing address of issuing agent: PMB 1542, 145 Tye Drive

City, State/Zip Code: Point Roberts, WA 98281

Telephone number, including area code: (360) 945-1516

FAX number, if any: (360) 945-1516

E-mail address, if any: prandr@pointroberts.net

Official UTC requests for information regarding consumer questions and/or complaints should be referred to the following company representative:

Name: Arthur Wilkowski

Title: Owner/Manager

Phone: (360) 945-1516

E-Mail: prandr@pointroberts.net

Fax: (360) 945-1516

Issue date: _____

Effective date: _____

(For Official Use Only)

Docket No. TG- _____ Date: _____ By: _____

Supplement(s) _____ is (are) the only
Supplement in effect at this time.

Supplement No. _____

(Name of Solid Waste Collection Company)

(Registered trade name of Solid Waste Collection Company)

Certificate Number G- _____

On and after the effective date hereof, the following supplemental provisions apply:

Name of person issuing supplement: _____

Mailing address of issuing agent: _____

City, State/Zip Code: _____

Telephone number, including area code: _____

FAX number, if any: _____

E-mail address, if any: _____

Issue date:

Effective date:

(For Official Use Only)

Docket No. TG- _____ Date: _____ By: _____

Company Name/Permit Number: Points Recycling and Refuse L.L.C.
 Registered Trade Name: Point Recycling and Refuse Company

CHECK SHEET

All pages contained in this tariff are listed below in consecutive order. The pages in the tariff and/or any supplements to the tariff listed on this page have issue dates that are the same as, or are before, the issue date of this page. "O" in the revision column indicates an original page.

Page Number	Current Revision	Page Number	Current Revision	Page Number	Current Revision
Title Page	Original	21	Original		
Check sheet	Original	22	Original		
Item Index	Original	23	Original		
Subject Index 5	Original	24	Original		
Subject Index 6	Original				
Taxes Sheet 7	Original				
8	Original				
9	Original				
10	Original				
11	Original				
12	Original				
13	Original				
14	Original				
15	Original				
16	Original				
17	Original				
18	Original				
19	Original				
20	Original				

Supplements in Effect

Issued by: Arthur Wilkowski

Issue date:

Effective date:

(For Official Use Only)

Docket No. TG- _____ Date: _____ By: _____

Company Name/Permit Number: Points Recycling and Refuse L.L.C.
 Registered Trade Name: Point Recycling and Refuse Company

Index of Items in This Tariff – see next page for list by topic

- Item 5 – Taxes
- Item 10 – Application of Rates – General
- Item 15 – Holiday Pickup
- Item 16 – Change in Pickup Schedule **(Left Blank Intentionally)**
- Item 17 – Refunds
- Item 18 – Billing, Advance Billing, Payment Delinquency Dates, Late Charges
- Item 20 – Definitions
- Item 30 – Limitation of Service
- Item 40 – Material Requiring Special Equipment, Precautions, or Disposal
- Item 45 – Material Requiring Special Testing and/or Analysis
- Item 50 – Returned Check Charges
- Item 51 – Restart Fees **(Left Blank Intentionally)**
- Item 52 – Redelivery Fees **(Left Blank Intentionally)**
- Item 55 – Over-sized or Over-weight Units **(Left Blank Intentionally)**
- Item 60 – Overtime **(Left Blank Intentionally)**
- Item 70 – Return Trips **(Left Blank Intentionally)**
- Item 75 – Flat Monthly Charges **(Left Blank Intentionally)**
- Item 80 – Carryout Service, Drive-Ins **(Left Blank Intentionally)**
- Item 90 – Can Carriage, Overhead Obstructions, Sunken or elevated cans/units **(Left Blank Intentionally)**
- Item 100 – Can/Unit Service, Residential – Residential Curbside Recycling – Residential Yardwaste service **(Left Blank Intentionally)**
- Item 105 – Multifamily Units **(Left Blank Intentionally)**
- Item 120 – Drums **(Left Blank Intentionally)**
- Item 130 – Litter Receptacles **(Left Blank Intentionally)**
- Item 150 – Loose and/or Bulky Material **(Left Blank Intentionally)**
- Item 160 – Time Rates
- Item 200 – Application of Container and/or Drop Box Rates – General
- Item 202 – Availability of Containers and Drop Boxes
- Item 205 – Roll-Out Charges – Containers, Automated Carts, and Toters **(Left Blank Intentionally)**
- Item 207 – Excess Weight – Rejection of Load, Charges to Transport
- Item 210 – Washing and Sanitizing Containers and Drop Boxes
- Item 220 – Compactor Rental **(Left Blank Intentionally)**
- Item 230 – Disposal Fees
- Item 240 – Container Service – Non-compacted – Company-owned container **(Left Blank Intentionally)**
- Item 245 – Container Service – Non-compacted – Customer-owned container **(Left Blank Intentionally)**
- Item 250 – Container Service – Compacted – Company-owned container **(Left Blank Intentionally)**
- Item 255 – Container Service – Compacted – Customer-owned container **(Left Blank Intentionally)**

Issued by: Arthur Wilkowski

Issue date:

Effective date:

(For Official Use Only)

Docket No. TG- _____ Date: _____ By: _____

Company Name/Permit Number: Points Recycling and Refuse L.L.C.

Registered Trade Name: Point Recycling and Refuse Company

- Item 260 – Drop Box Service – Non-Compacted – Company-owned drop box
- Item 265 – Drop Box Service – Non-Compacted – Customer-owned drop box
- Item 270 – Drop Box Service – Compacted – Company-owned drop box
- Item 275 – Drop Box Service – Compacted – Customer-owned drop box
- Item 300 – List of Abbreviations and Symbols Used in Tariff

The Following Items are Left Blank Intentionally

- Item 16 – Change in Pickup Schedule
- Item 51 – Restart Fees
- Item 52 – Redelivery Fees
- Item 55 – Over-sized or Over-weight Units
- Item 60 - Overtime
- Item 70 – Return Trips
- Item 75 – Flat Monthly Charges
- Item 80 – Carryout Service, Drive-Ins
- Item 90 – Can Carriage, Overhead Obstructions, Sunken or elevated cans/units
- Item 100- Can/Units Service Residential
- Item 105 – Multifamily Units
- Item 120 - Drums
- Item 130 – Litter Receptacles
- Item 150 – Loose and/or Bulky Material
- Item 205 – Roll-out Charges – Containers, Automated Carts, and Toters
- Item 220 – Compactor Rental
- Item 240 – Container Service
- Item 245 – Container Service
- Item 250 – Container Service
- Item 255 – Container Service

The Following Items Currently Have No Rates

- Item 265 – Drop Box Service – Non-Compacted – Customer-owned drop box
- Item 270 - Drop Box Service – Compacted – Company-owned drop box
- Item 275 Drop Box Service – Compacted – Customer-owned drop box

Issued by: Arthur Wilkowski

Issue date:

Effective date:

(For Official Use Only)

Docket No. TG- _____ Date: _____ By: _____

Company Name/Permit Number: Points Recycling and Refuse L.L.C.
 Registered Trade Name: Point Recycling and Refuse Company

Index by topic

	<u>Item No.</u>
Abbreviations used in tariff	300
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Item 5 – Application of Rates – Taxes

In addition to the rates shown in the remainder of the tariff, the following taxes apply:

Entity imposing tax:	Ordinance number:	Amount of tax:	Application (Commodities and territory)
Whatcom County	97-041 98-008	\$8.50 per ton	\$8.50 per ton on drop-box pass-through disposal.

Item 10 – Application of Rates – General

Rates named in this tariff cover the collection, transportation, and disposal of solid waste. When specifically referred to, rates also cover the collection and transportation of recyclable materials and/or yardwaste.

Title 81.77 of the Revised Code of Washington (RCW) and Chapter 480-70 of the Washington Administrative Code (WAC) govern operations of solid waste collection companies and the tariffs companies must file with the Washington Utilities and Transportation Commission (WUTC).

Unless exceptions are shown, all materials must be placed on the same level as the streets or alleys.

The company may charge additional amounts for disposal fees only when specifically stated in the tariff and separately shown on customer bills.

Item 15 – Holiday Pickup – Regularly Scheduled Service

When a pickup is missed due to the company's observance of a holiday, the company will provide service, at no additional cost to the customer, on an alternate day.

A list of the holidays the company observes is shown in Item 60.

For application of rates in this tariff, the company defines alternate day to mean the following:

The next business day

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Item 16 – Change in Pickup Schedule

Item 17 – Refunds

Credit due the customer. When there has been a transaction that results in a credit due the customer, the following apply:

- (a) If the amount due is five dollars or less, an adjustment will be made to the customer's account. The adjustment must be shown on the next regular bill.
- (b) If the amount due is more than five dollars, the customer may accept an account adjustment or may request a refund.
 - If the customer elects to have an account adjustment made, the adjustment must show on the next regular billing.
 - If the customer elects to receive a refund, the company must issue a check within thirty days of the request.

Overcharges. Once a company becomes aware that it has overcharged a customer, it must provide a refund or an account adjustment credit to the customer. The customer must be given a choice as to which option is preferred. The refund or credit must be the amount overcharged in the three years before the date of discovery.

- If the customer elects to have an account adjustment made, the adjustment must show on the next regular billing.
- If the customer elects to receive a refund, the company must issue a check within thirty days of the request.

Prepayments. If a customer has paid service fees in advance, service is discontinued during the pre-billed period, and the customer is due a refund, the following apply:

- (a) A company must honor all requests for refunds of the unused portion of prepayments.
- (b) If the customer provides a forwarding address to the company or one can be obtained from the Post Office, the company must issue a refund check no more than thirty days following the customer's request.
- (c) If the customer cannot be located or did not provide a forwarding address and the U.S. Post Office cannot furnish a forwarding address, the amount may be presumed to be abandoned and is subject to the Uniform Unclaimed Property Act after one year.

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Item 18 – Billing, Advance Billing, and Payment Delinquency Dates

Billing period. A company may bill its customers for one, two, or three months of service.

Advance billing and payment delinquency dates. The following chart defines the maximum period allowed for advance billing and the date when a bill may be considered delinquent:

Billing period	Maximum advance billing period allowed	Delinquency date
One month's service (monthly)	No advance billing allowed	May not be less than twenty-one days after the date the bill is mailed
Two months' service	One months' advanced billing allowed	May not be until the last day of the second month
Three months' service	Two months' advance billing allowed	May not be until the last day of the third month

The billing period chosen by the company operating under this tariff for all solid waste accounts is: one month's service.

Late charges. Customers with past due accounts after the delinquency dates specified in the chart above will be charged a late fee of 1% per month on outstanding balances. The minimum charge per month is \$1.00.

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Item 20 – Definitions

NOTE: The definitions shown on the first three pages of this item are standard, in most cases prescribed by rule. Companies may not amend these definitions. Companies wishing to add definitions specific to their company's operations must include those definitions on a separate page, entitled, "Company-specific definitions." A blank sheet is provided for that purpose.

Bale: Material compressed by machine and securely tarped or banded.

Bulky Materials: Empty carriers, cartons, boxes, crates, etc., or materials offered for disposal, all of which may be readily handled without shoveling.

Charge: A set flat fee for performing a service. Or, the result of multiplying a rate for a unit times the number of units transported.

Commercial Billing: Service billed to a commercial customer or billed to, and paid for, by a property manager or owner rather than a residential tenant.

Compacted Material: Material that has been compressed by any mechanical device either before or after it is placed in the receptacle handled by the company.

Compactor Disconnect/Reconnect Charge: A flat fee established by the solid waste collection company for the service of disconnecting a compactor from a drop box or container before taking it to be dumped, and then reconnecting the compactor when the drop box or container is returned to the customer's site.

Gate charge: A flat fee charged for opening, unlocking, or closing gates in order to pick up solid waste.

Loose material: Material not set out in bags or containers, including materials that must be shoveled.

Multi-family residence: Any structure housing two or more dwelling units.

Packer: A device or vehicle specially designed to pack loose materials.

Pass through fee: A fee collected by a solid waste collection company on behalf of a third party when the fee is billed directly to the customer without markup or markdown.

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Item 20 – Definitions, continued

Permanent service: Container and drop-box service provided at the customer's request for more than ninety days.

Rate: A price per unit or per service. A rate is multiplied times the number of units transported or the number of times a service is performed to determine a charge.

Solid waste receptacle: includes the following items, with the following meanings:

Automated cart means a cart designed to be picked up and emptied by mechanical means. The specific type and size are to be defined in rate items.

Can means a receptacle made of durable, corrosion-resistant, nonabsorbent material that is watertight, and has a close-fitting cover and two handles. A can holds more than twenty gallons, but not more than thirty-two gallons. A can may not weigh more than ___ pounds when filled.

Cart means a wheeled plastic container. A cart may also be referred to as a toter. If supplied by a customer, a cart must be compatible with the company's equipment. The size and type of cart that is compatible will be established in each company's tariff.

Container means a detachable receptacle (normally designed to hold at least a cubic yard of solid waste) from which materials are collected by mechanically lifting the receptacle and emptying the contents into the company's vehicle.

Drop box means a detachable receptacle used to provide solid waste collection service by the receptacle being placed on the company's vehicle by mechanical means and transported to a disposal site.

Drum means a metal or plastic container of approximately fifty-gallon capacity, generally used for oils or solvents. A drum may not weigh more than ____ when filled.

Litter receptacle means a container not over sixty-gallon capacity, generally placed in shopping centers and along streets or highways for litter. A litter receptacle may not weight more than ____ pounds when filled.

Micro-mini can means a can made of durable, corrosion-resistant, nonabsorbent material that is watertight and has a close-fitting cover. A micro-mini can may not hold more than ten gallons. A micro-mini can may not weight more than ____ pounds when filled.

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Item 20 – Definitions, continued

Mini-can means a can made of durable, corrosion resistant, nonabsorbent material that is watertight and has a close-fitting cover. A mini-can may not hold more than twenty gallons. A mini-can may not weight more than _____ pounds when filled.

Recycling bin or container means a bin or container designed or designated for the collection of recyclables. The size and type of recycling bin or container will be established in each company's tariff.

Toter means a wheeled plastic container. A toter may also be referred to as a cart. If supplied by customer, a toter must be compatible with the company's equipment. The size and type of toter that is compatible will be established in each company's tariff.

Unit means a receptacle made of durable, corrosion-resistant, nonabsorbent material, that is watertight, and has a close-fitting cover and two handles. A unit holds more than twenty gallons, but not more than thirty-two gallons or four cubic feet. A unit may not weigh more than _____ pounds when filled.

Where agreed on between the company and the customer, and where allowable under local ordinance, a box, carton, cardboard barrel or other suitable container may be substituted for a solid waste can, for a single pick-up that includes removal of the container, if it meets the size and weight limits established in the company's tariff.

Yardwaste bin or container means a bin or container specifically designed or designated for the collection of yardwaste. Each company's tariff will refer to a specific type of yardwaste bin or container to be used by customers in a service area. The type, size, weight, etc., of this type of bin or container will often be set by local government plans or ordinances.

Special pick-up: A pick-up requested by the customer at a time other than the regularly scheduled pick-up time, that requires the special dispatch of a truck. If a special dispatch is required, the company will assess time rates established in the company's tariff.

Supplement: A page added to the beginning of a tariff, normally to cover emergency, temporary, or special situations. An example is a page issued to show a special surcharge imposed by a city.

Temporary service: Temporary service means providing container or drop-box service at the customer's request, for a period of ninety days or less.

Unlatching: Another term for a gate charge. A flat fee imposed by a solid waste collection company when the company's personnel must unlatch a gate or door to perform pickup service.

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Item 20 –Definitions, continued

Company-specific definitions:

Special Container: Is a service where the customer requests on-call pickup of solid waste placed by the customer in a company provided container where the customer is charged a delivery and pickup fee and a pass-through fee for the solid waste on a per pound or per item basis. For Tariff purposes, rates for this service are outlined in item 240 (Special Container/Cleanup). If a delivery and pickup fee is charged, then Hourly time rates in Item 160 apply to all time over the first ½ hour. Disposal fees are in Item 230. Items picked up include bulky items, mixed solid waste, appliances, source separated recyclables as defined in Item 20, tires, propane tanks and all other items for disposal generated on an infrequent nature which are accepted at the Point Roberts Transfer Station. Does not include hazardous waste or regularly scheduled collection of solid waste or residential curbside collected recyclables.

Special Cleanup: Is a service where the customer requests on-call pickup of solid waste where the company picks up items and places such materials into a company owned vehicle. The customer is charged hourly rates outlined in Item 160 and pass-through fees in Item 230. Items picked up include loose materials, bulky items, mixed solid waste, appliances, source separated recyclables as defined in Item 20, tires, propane tanks and all other items for disposal generated on an infrequent nature which are accepted at the Point Roberts Transfer Station. Does not include hazardous waste or regularly scheduled collection of solid waste or residential curbside collected recyclables.

Source Separated Recyclables:
Are items accepted at the Point Roberts Transfer Station as recyclables that are generated by a residential household. These items are picked up on an on-call infrequent basis at the customer’s request often in conjunction with on-call pickup of solid waste. For purposes of this Tariff, Source Separated Recyclables are not considered to be: items placed in company provided recycling bins, collected in specially designed recycling equipment, placed out curbside or picked up on a scheduled collection day from multiple households for a flat monthly fee. Source Separated Recyclables are considered to be similar in nature to commercial recyclables only collected on-call and infrequently from an individual residential customer under the category of on-call solid waste pickup.

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Item 30 – Limitations of Service

Refusal of service. A solid waste collection company may refuse to:

- Pick up materials from points where it is hazardous, unsafe, or dangerous to persons, property, or equipment to operate vehicles due to the conditions of streets, alleys, or roads.
- Drive into private property when, in the company's judgment, driveways or roads are improperly constructed or maintained, do not have adequate turn-arounds, or have other unsafe conditions.
- Enter private property to pick up material while an animal considered or feared to be vicious is loose. The customer will be required to confine the animal on pickup days.

Schedules. A company's schedule will meet reasonable requirements.

Missed pickups due to weather or road conditions. Intentionally Blank

Due care. Other than to offer reasonable care, the company assumes no responsibility for articles left on or near solid waste receptacles. **Liability for damage.** When a customer requests that a company provide service and damage occurs to the customer's driveway due to reasons not in the control of the company, the company will assume no responsibility for the damage.

Item 40 – Material Requiring Special Equipment, Precautions, or Disposal

Transportation of solid waste requiring special equipment or precautions in handling or disposal will be subject to time rates named in Item 160, or to other specific rates contained in this tariff.

Companies must make every effort to be aware of the commodities that require special handling at the disposal sites named in the company's tariffs. The company shall maintain a list of those commodities and make it available for public inspection at the company's office.

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Item 45 – Material Requiring Special Testing and/or Analysis

When a solid waste collection company or disposal facility determines that testing and/or analysis of solid waste is required to determine whether dangerous or prohibited substances are present, the actual cost for such testing and/or analysis will be paid by the customer. The company must provide the customer with a copy of any bill or invoice for costs incurred for testing and/or analysis and also must retain a copy in the company's file for at least three years. Those costs shall be passed through to the customer without markup. The company must maintain records of time spent to accomplish the special testing and/or analysis, and may bill the customer for that time under the provisions of Item 160 (Time Rates).

Item 50 – Returned Check Charges

Returned check charge. If a customer pays with a check, and the customer's bank refuses to honor that check, the customer will be assessed a returned check charge in the amount of \$25.00.

- Item 51 – Restart Fees
- Item 52 – Redelivery Fees
- Item 55 – Over-sized or Over-weight Cans or Units
- Item 60 – Overtime Periods
- Item 70 – Return Trips
- Item 75 – Flat Monthly Charges
- Item 80 – Carry-out Service, Drive-Ins
- Item 90 – Can Carriage – Special Services
- Item 100 – Residential Service -- Monthly Rates
- Item 105 – Multi-family Service – Monthly Rates
- Item 120 – Drums
- Item 130 – Litter Receptacles and Litter Toters
- Item 150 – Loose and Bulky Material

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Item 160 – Time Rates

When time rates apply. Time rates named in this Item apply:

- When material must be taken to a special site for disposal;
- When a company's equipment must wait at, or return to, a customer's site to provide scheduled service due to no disability, fault, or negligence on the part of the company. Actual waiting time or time taken in returning to the site will be charged for; or
- When a customer orders a single, special, or emergency pickup, or when other items in this tariff refer to this Item.

How rates are recorded and charged. Time must be recorded and charged for to the nearest increment of 15 minutes. Time rates apply for the period from the time the company's vehicle leaves the company's terminal until it returns to the terminal, excluding interruptions. An interruption is a situation causing stoppage of service that is in the control of the company and not in the control of the customer. Examples include: coffee breaks, lunch breaks, breakdown of equipment, and similar occurrences.

Disposal fees in addition to time rates.. Item 230 disposal fees for the specific disposal site or facility used will apply in addition to time rates.

Rates per hour:

Type of equipment ordered	Rate Per Hour		
	Truck and driver	Each Extra Person	Minimum Charge
<u>Single rear drive axle:</u>			
Non-packer truck	\$30.00	\$25.00	\$40.00
Packer truck	\$	\$	\$
Drop-box truck.....	\$	\$	\$
<u>Tandem rear drive axle:</u>			
Non-packer truck	\$	\$	\$
Packer truck	\$65.00	\$25.00	\$65.00
Drop-box truck.....	\$85.00	\$	\$85.00

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Company Name/Permit Number: Points Recycling and Refuse L.L.C.
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Item 200 -- Containers and/or Drop Boxes – General Rules

Availability. A company must maintain a supply of all sizes of containers and drop boxes for which rates are listed in this tariff. If a customer requests a container or drop box of a size listed in the company's tariff, and the company is unable to provide the requested size within 7 days of the customer request, the customer must be notified in writing or by telephone.

Alternate-sized containers and/or drop boxes. If the company cannot provide the requested-sized container or drop box (and that size is listed in the company's tariff), the company must provide alternate-sized containers or drop boxes, sufficient to meet the capacity originally requested by the customer, at the same rates as would have applied for the requested container or drop box.

Disposal fees due on alternate-sized drop boxes. If the company provides alternate-sized drop boxes, the customer is responsible for all lawfully applicable disposal fees resulting from the use of the alternate drop boxes.

Rates on partially-filled containers and/or drop boxes. Full pickup and rental rates apply regardless of the amount of waste material in the container or drop box at pickup time.

Rates for compacted materials. Rates for compacted material apply only when the material has been compacted before its pickup by the company.

Rates for loose material. Loose material dumped into the company's packer truck is subject to the rates for non-compacted material even though the material may be compacted later in the packer truck.

Permanent and temporary service. The following rules apply:

- (a) If a customer requests a container or drop box for less than 90 days, the customer will be billed at temporary service rates.
- (b) If a temporary service customer notifies the company that it has decided to retain the container or drop box for more than 90 days, permanent service rates will be assessed from the 91st day until the end of the period the customer retains the container or drop box.
- (c) If a customer requests a container or drop box for more than 90 days, the customer will be billed under permanent rates. If that customer cancels service before the end of the 90-day period, the company may not rebill the customer at temporary service rates. The intent of the customer at the time service was requested applies.

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Company Name/Permit Number: Points Recycling and Refuse L.L.C.
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Item 205 – Roll-Out Charges – Containers, automated carts, and toters

Item 207 – Excess Weight – Rejection of Load, Charges to Transport

The company reserves the right to reject pickup of any container, stationary packer, or drop box which, upon reasonable inspection:

- Appears to be overloaded;
- Would cause applicable vehicle load limitations to be exceeded;
- Would cause the company to violate load limitations or safe vehicle operation; and/or
- Would negatively impact or otherwise damage road surface integrity.

For the purposes of this tariff, the following maximum weights apply:

Type/Size of Container, Drop Box, Toter, or Cart	Maximum Weight Allowance (in pounds)	Type/Size of Container, Drop Box, Toter, or Cart	Maximum Weight Allowance (in pounds)
12-yard Drop Box	16,000		
40-yard Drop Box	16,000		

Overfilled or overweight, charges if transported. If the container, drop box, toter, or cart exceeds the limits stated above, is filled beyond the marked fill line, or the top is unable to be closed, but the company transports the materials, the following additional charges will apply:

Type/Size of Container, Drop Box, Toter, or Cart	Overfilled Charge	Type/Size of Container, Drop Box, Toter, or Cart	Overweight Charge
12-yard Drop Box	\$50.00	12-yard Drop Box	\$200.00
40-yard Drop Box	\$50.00	40-yard Drop Box	\$200.00

Note 1: Special Container/Cleanup customer is charged per pound for all material collected in addition to delivery, rent and pickup fees in Item 240 as described in company specific definition in Item 20

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Item 210 – Washing and Sanitizing Containers and/or Drop Boxes

Upon customer request, the company will provide washing and sanitizing service at the following rates:

Size or Type of Container or Drop Box	Rate
All Drop Boxes	\$ 50.00 per wash

Item 220 – Compactor Rental

Item 230 – Disposal Fees

Charges in this item apply when other items in the tariff specifically refer to this item.

Disposal site (name or location)	Type of Material	Fees for disposal
Point Station, Point Roberts, WA	Garbage	\$ 250.00 per Ton
Point Station, Point Roberts, WA	Refrigerators	\$ 50.00 each
Point Station, Point Roberts, WA	Appliances	\$ 20.00 each
Point Station, Point Roberts, WA	Tires	\$ 5.00 each
Point Station, Point Roberts, WA	Propane Tanks	\$ 1.00 per gallon
Point Station, Point Roberts, WA	Recyclables	\$ 100.00 per ton
Point Station, Point Roberts, WA	40-yard Demolition Box	\$ 1,200 per Box

State whether fees are per yard, per ton, etc. Include charges assessed for special commodities (tires, appliances, asbestos, etc.) or special conditions at each specific disposal site. Attach additional sheets as necessary.

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Item 240 – Container Service – Dumped in Company's Vehicle

Item 245 – Container Service – Dumped in Company's Vehicle

Item 250 – Container Service – Dumped in Company's Vehicle

Item 255 – Container Service – Dumped in Company's Vehicle

Item 260 – Drop Box Service – To Disposal Site and Return

Non-Compacted Material (Company-owned drop box)

Rates stated per drop box, per pick up

Service Area: Area of Whatcom County known as Point Roberts

Permanent Service	Size or Type of Container					
	40 Yard	Yard	_12_ Yard	_____ Yard	_____ Yard	_____ Yard
Monthly Rent, if applicable	Not available	\$	\$60.00	\$	\$	\$
First Pickup	Not available	\$	\$80.00	\$	\$	\$
Each Additional Pickup	Not available	\$	\$80.00	\$	\$	\$
Temporary Service						
Initial Delivery	\$85.00	\$	\$40.00	\$	\$	\$
Pickup Rate	\$85.00	\$	\$40.00	\$	\$	\$
Rent Per Calendar Day	\$5.00	\$	\$3.00	\$	\$	\$
Rent Per Month	\$150.00	\$	\$90.00	\$	\$	\$

Note 1: Rates in this item are subject to disposal fees named in Item 230.

Note 2: Permanent Service: Service is defined as no less than scheduled, once a month pickup, unless local government requires more frequent service or unless putrescibles are involved.

(a) If a drop box is retained by a customer for a full month and no pickups are ordered, the monthly rent shall be charged, but no charges will be assessed for pickups. Monthly rental charges will be prorated when a drop box is retained for only a portion of a month.

(b) If rent is shown, the rate for the first pickup and each additional pickup must be the same. If rent is not shown, it is to be included in the rate for the first pickup.

(c) For permanent service; Each Additional Pickup Fee include redelivery of container, For temporary service a replacement container will be charged another delivery fee.

Note 3: Pickup and delivery of drop-boxes is subject to availability of equipment. The customer is responsible for the full number of rental days even if pickup is requested sooner than equipment is available.

Accessorial charges assessed (lids, tarping, unlocking, unlatching, etc.): Standby Time: Hourly rates apply for standby time.

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Company Name/Permit Number: Points Recycling and Refuse L.L.C.
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Item 265 – Drop Box Service – To Disposal Site and Return
Non-Compacted Material (Customer-owned drop box)
 Rates stated per drop box, per pick up

Service Area:

Permanent Service	Size or Type of Container					
	_____ Yard	_____ Yard	_____ Yard	_____ Yard	_____ Yard	_____ Yard
Each Scheduled Pickup	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Special Pickups	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Temporary Service						
Pickup Rate	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

- Note 1: Rates in this item are subject to disposal fees named in Item 230.
- Note 2: Rates named in this item apply for all hauls not exceeding 5 miles measured from the point of pickup to the disposal site. Excess miles shall be charged for at \$ _____ per mile or fraction of a mile. Mileage charge is in addition to all regular charges.
- Note 3: Permanent Service is defined as no less than scheduled, once a month pickup, unless local government requires more frequent service or unless putrescibles are involved.

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(For Official Use Only)

Docket No. TG- _____ Date: _____ By: _____

Company Name/Permit Number: Points Recycling and Refuse L.L.C.
 Registered Trade Name: Point Recycling and Refuse Company

Item 270 – Drop Box Service – To Disposal Site and Return
Compacted Material (Company-owned drop box)
 Rates stated per drop box, per pick up

Service Area:

Permanent Service	Size or Type of Container					
	_____ Yard	_____ Yard	_____ Yard	_____ Yard	_____ Yard	_____ Yard
Monthly Rent, if applicable	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
First Pickup	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Each Additional Pickup	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Special Pickups	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Temporary Service						
Initial Delivery	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Pickup Rate	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Rent Per Calendar Day	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Rent Per Month	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

Note 1: Rates in this item are subject to disposal fees named in Item 230.

Note 2: Rates named in this item apply for all hauls not exceeding 5 miles measured from the point of pickup to the disposal site. Excess miles shall be charged for at \$ _____ per mile or fraction of a mile. Mileage charge is in addition to all regular charges.

Note 3: Permanent Service:

- (a) Service is defined as no less than scheduled, once a month pickup, unless local government requires more frequent service or unless putrescibles are involved.
- (b) If a drop box is retained by a customer for a full month and no pickups are ordered, the monthly rent shall be charged, but no charges will be assessed for pickups. Monthly rental charges will be prorated when a drop box is retained for only a portion of a month.
- (c) If rent is shown, the rate for the first pickup and each additional pickup must be the same. If rent is not shown, it is to be included in the rate for the first pickup.

Accessorial charges assessed (lids, tarping, unlocking, unlatching, etc.):

Issued by: Arthur Wilkowski

Issue date:

Effective date:

(For Official Use Only)

Docket No. TG- _____ Date: _____ By: _____

Company Name/Permit Number: Points Recycling and Refuse L.L.C.
 Registered Trade Name: Point Recycling and Refuse Company

Item 275 – Drop Box Service – To Disposal Site and Return
 Compacted Material (Customer-owned drop box)
 Rates stated per drop box, per pick up

Service Area:

Permanent Service	Size or Type of Container					
	_____ Yard	_____ Yard	_____ Yard	_____ Yard	_____ Yard	_____ Yard
Each Scheduled Pickup	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Special Pickups	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Temporary Service						
Pickup Rate	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

Note 1: Rates in this item are subject to disposal fees named in Item 230.

Note 2: Rates named in this item apply for all hauls not exceeding 5 miles measured from the point of pickup to the disposal site. Excess miles shall be charged for at \$ _____ per mile or fraction of a mile. Mileage charge is in addition to all regular charges.

Note 3: Permanent Service is defined as no less than scheduled, once a month pickup, unless local government requires more frequent service or unless putrescibles are involved.

Accessorial charges assessed (lids, tarping, unlocking, unlatching, etc.):

Issued by: Arthur Wilkowski

Issue date:

Effective date:

(For Official Use Only)

Docket No. TG- _____ Date: _____ By: _____

Company Name/Permit Number: Points Recycling and Refuse L.L.C.
Registered Trade Name: Point Recycling and Refuse Company

Item 300 – List of Abbreviations and Symbols Used in This Tariff

(A) Denotes increases.

(R) Denotes decreases.

(C) Denotes changes in wording, resulting in neither increases or decreases.

(N) Denotes new rates, services, or rules

*** Denotes that material previously shown has been deleted.

Yd. or yd. are abbreviations for yard

Cu. or cu. are abbreviations for cubic.

Issued by: Arthur Wilkowski

Issue date:

Effective date:

(For Official Use Only)

Docket No. TG- _____ Date: _____ By: _____

Point Recycling and Refuse

P.M.B. 1542, 145 Tye Drive, Point Roberts, WA 98281
Business Phone: (360) 945-1516

December 2, 2009

Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-7250

RE: Docket TG-091687 Point Recycling - Response to Whatcom County

Dear Commission,

Whatcom County has stated that they want to have full garbage and recycling collection services restored to Point Roberts.

This is a completely unrealistic expectation and demand.

Whatcom County was required by State Law to provide Point Roberts with an economically feasible solid waste system design, and to review that design for effectiveness, modifying the plan if necessary. Whatcom County failed to conduct any analysis for the original plan design and refused repeated requests by Point Recycling to review and modify the plan. The Department of Ecology notified Whatcom County at least three times during the past ten years; that they had not complied with State Law regarding Point Roberts and that curbside recycling was not required or appropriate.

Whatcom County also recognized in their Plan that full Universal Service was necessary for collection programs to be affordable and to meet their goals. Whatcom County has refused to implement any part of their Universal Service Ordinance.

Whatcom County placed an unreasonable obligation on Point Recycling to provide an urban recycling collection program in a small isolated rural area. The County failed to support that mandate by refusing to enforce their solid waste laws. The collapse of the Point Roberts recycling collection program and later garbage collection was entirely the County's fault.

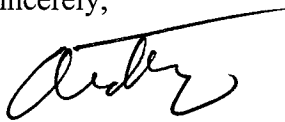
The expectation by the County for the Commission to grant a full certificate is still based in the County's refusal to accept and fulfill their State mandated responsibilities.

Their curbside recycling program was a failure because 83% of the households chose not to use it. The overwhelming majority of Point Roberts' residents did not want the County to pursue its complaint against Point Recycling, which resulted in the cancellation of all services. The County has never surveyed residents or conducted any analysis to support their system design.

Regulated solid waste utilities must operate within the economic parameters of the County system design and enforcement policies. It is impossible for any company to make a system work when the design is contrary to community needs and local feasibility. It is also impossible for the Commission to determine the economic ability of a company to provide sustainable services without an effective County Plan and a commitment by the County to support the company. Point Roberts has many unique challenges of isolation and small volume that can only be addressed by the County.

The granting of a full Certificate without any rational plan or support is guaranteed to be a disaster. The Commission should refuse to grant a full Certificate until the County demonstrates not only a reasonable need and design but also a commitment to actually support the system and enforce their Universal Service Ordinance. The best course for this community is for the Commission to determine that there is no fit applicant for a full Certificate. This will place the burden back upon the County to create a new plan. The County could then execute their option of contracting with an experienced Canadian garbage collection company to provide service to those customers who want it; or if contracting fails then the County should enforce their Universal Service Ordinance and seek new qualified applicants for a full Certificate based on an accurate and detailed plan. The burden of solving this problem has always rested by State Law on Whatcom County, not on the Commission.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arthur Wilkowski', written over a horizontal line.

Arthur Wilkowski
Point Recycling and Refuse

Point Recycling and Refuse

P.M.B. 1542, 145 Tye Drive, Point Roberts, WA 98281
Business Phone: (360) 945-1516

December 2, 2009

Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-7250

RE: Docket TG-091687 Point Recycling – Comments on Demand for Services

Dear Commission,

There is a great deal of misinformation about the need and demand for services in Point Roberts. As the service provider for the past 10 years I would like to share my opinions with the Commission.

Point Roberts is a very small community. The land area is only two miles by two miles across. The Transfer Station is located in the very center so at most any household or business is only just over one mile from the Station. Point Roberts has always been a self-haul dominated community driven primarily by cost and the infrequent household occupancy of a cabin/second home community. There is no significant barrier of time or distance to self-hauling.

1. Residential garbage service: Point Roberts has over 2000 residential units. Historically only about 340 or 17% used roadside garbage and recycling collection. An additional 200 or 10% used infrequent garbage only service. Less than one third of all households used any collection service. A large percentage of those households were only one can per month or less. The cost of curbside recycling as part of garbage service was a significant deterrent for households to be on garbage service. If Point Recycling or any other company tried to restart roadside collection then a large percentage of households, perhaps 30%-50% would continue to self-haul. The percentage of previous customers who continue to self-haul will be larger if the mandatory roadside recycling requirement is maintained. People have been self-hauling recycling at a very low cost for almost two years so many will continue rather than pay more for curbside collection.
2. Residential recycling collection: Point Recycling provided residential recycling collection at less than cost. With 340 customers paying \$5.21 per month the program averaged \$21,000 per year. The next larger company regulated by the WUTC has about 2,000 customers paying \$8.00 per month for \$192,000 per year in revenue. This is a huge difference in scale. Whatcom County has never recognized the economics of the required mandatory recycling. The Department of Ecology has repeatedly told the County that curbside recycling was the wrong program design. The WUTC has never conducted the required cost assessment on the County plan. The cost for curbside recycling will escalate and as it does, customers will cancel recycling and garbage service and self-haul instead. The County has a choice to either; enforce Universal Service and require all households to pay for recycling at a rate about three times higher than the rest of the County, or to remove the recycling requirement and have a self-haul based system. The Commission should recognize that the majority of Point Recycling customers supported removing the curbside recycling program. If those customers prefer to self-haul

recycling for less cost, then how many will sign up for more expensive garbage collection with mandatory recycling? The fundamental question facing any new curbside recycling provider is; how many households will sign up for service? Nobody has the answer to that question. It certainly will be far less than were previously on service. Can the Commission grant authority for a service with an unknown need, no basis for determining cost and no structural support from the County?

3. Commercial garbage collection: Point Recycling had only 35 commercial dumpster accounts. Most of those customers were only 1.5 yards every-other-week. Those small commercial customers save money by self-hauling and a portion of them will continue to do so. The larger commercial customers save several hundred dollars per month and have significant economic incentive to continue self-hauling. The Commission should have some understanding of the very small commercial garbage volume in Point Roberts. This volume has been consistently declining as more businesses close each year. Some of the commercial businesses want the convenience of garbage collection but they also want it affordable. In a marginalized economy like Point Roberts, the commercial customers' idea of affordable are rates lower than commercial rates in the big cities. Since the County refuses to implement Universal Service, the majority of company overhead costs fall onto the commercial customers. They are already at their bearing capacity and since they have been self-hauling for six months, there is the strong likelihood that with any rate increase, a large percentage will switch to self-hauling.
4. Commercial recycling: Freedom 2000 and their agents have perpetuated the myth that there is some huge un-met need for commercial recycling collection. That there are huge profits to be made that can subsidize the residential recycling collection. The Commission is well aware that the markets for collected recyclables are extremely low and will continue to be so for long time. The commercial recycling base is very small since this is a town of gas stations and package/parcel shops. The dominant recyclable is cardboard, high volume and low value. Businesses desire recycling to be less expensive than garbage; for their total bill to decrease due to their recycling effort. That is very difficult for small businesses to achieve; especially when the collection costs for commercial recyclables is more expense than garbage due to smaller volumes. Commercial recycling works in the big cities because of the large number of densely packed customers usually with larger volumes of recyclables. This does not apply to Point Roberts. The interesting thing is that since the cancellation of garbage collection, many commercial customers are recycling more. Their time to self-haul recycling and garbage is the same but they save money by recycling. If garbage collection is restarted then most of these commercial customers will continue their established practice of self-hauling recyclables.

Is there a real urgent crises in Point Roberts? Sadly, there is not. Garbage is not piling up in the streets and people are not buried under their waste. Everything has been going along fine for 6 months. Some people find self-hauling convenient and some do not but everyone is surviving. This has always been a majority self-haul community. People here should have the option of garbage collection but it is not an absolute necessity. There is a certain level of participation necessary to make any collection system feasible. With the established community self-haul patterns, the only way for collection to work is to implement structural barriers to encourage maximum participation. The economic viability of the system rests in the hands of the County to create and implement.

Over the years, I have proposed many industry standard structural design changes to Whatcom County.

1. Universal Service in order to shift the overhead costs onto a larger group, to reduce the burden on the small commercial customer base, and to reduce the illegal use of commercial dumpsters.
2. Differential rates for self-haulers and the garbage company at the transfer station to encourage people to sign up for collection service.
3. Higher minimal charges at the transfer station to decrease self-haulers and encourage people to be on garbage service.
4. A self-haul based recycling program to reduce overall customer bill and reduce company overhead costs.
5. Even minimal enforcement of anti-litter, anti-burning, and anti-dumping laws.

My goal for ten years was to get the right professional system design for this community. The County absolutely refused to participate and support that process. I have repeatedly provided the County and the Commission with analysis of this system's needs and challenges. You may question my accuracy however you cannot question that analysis is desperately needed. The future of the Point Roberts system is going forward absolutely blind. The lack of analysis and system design is in direct conflict with the State mandate for economically and reasonably designed regulated solid waste systems.

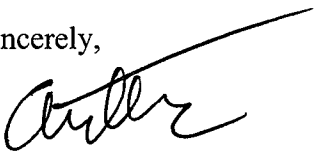
Any new full Certificate holder will face several significant problems.

1. Far fewer initial customers than Point Recycling historically had on service.
2. A long period of building the customer base.
3. An established preference in the community to self-haul.
4. The potential of never achieving historical customer volumes.
5. A County system design that has repeatedly proved to be impossible for any company to implement.
6. A County policy of no support and no rational system design.
7. The denial by the County of the ability to control the economic parameters of the system.

There are no applicants for a full Certificate who have any experience or understanding of this system. The Commission cannot accept the unsupported statement that they can actually operate and maintain the system without failure or drastically escalating rates.

The Commission should inform the County to conduct the required planning for the Point Roberts Community. When the County has a viable plan, then the Commission can determine if there are any qualified applicants to provide the service.

Sincerely,



Arthur Wilkowski
Point Recycling and Refuse

Point Recycling and Refuse

P.M.B. 1542, 145 Tye Drive, Point Roberts, WA 98281

Business Phone: (360) 945-1516

December 2, 2009

Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-7250

RE: Docket TG-091687 Point Recycling – Temporary Operating Authority

Dear Commission,

I have outlined serious concerns about planning and the long-term future of services in Point Roberts. I do not believe that it is appropriate for the Commission to grant a full Certificate until Whatcom County complies with the State requirements for planning and supporting the Point Roberts solid waste system.

The Commission may feel that it is premature to grant Permanent Authority to Point Recycling for on-call and special clean-up services.

Point Recycling is not opposed to revolving Temporary Authority until such time as Whatcom County provides the Commission with a viable Plan. At that time, Point Recycling would like to opportunity to apply for a full Permanent Certificate within the obligations of that Plan.

Sincerely,



Arthur Wilkowski
Point Recycling and Refuse