

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Petitioner,

v.

T&T RECOVERY, INC.,

Respondent.

Case No. TG-041481

PETITION TO INTERVENE BY
SANITARY SERVICE COMPANY,
INC.

1. Petitioner's name and address:

Sanitary Service Company, Inc.
1001 Roeder
Bellingham, WA 98225

2. Petitioner's attorney:

Polly L. McNeill
Summit Law Group PLLC
315 Fifth Avenue S., Suite 1000
Seattle, Washington 98104

3. Petitioner's Interest in the Proceeding:

Sanitary Service Company, Inc. ("SSC") is the holder of Certificate of Convenience and Necessity No. G-14, by which the Commission has granted SSC exclusive rights to provide solid waste collection services in territory located within Whatcom County. A copy of G-14 is attached. SSC understands that at least some of the alleged activities of Respondent T&T Recovery, Inc. at issue in this matter involve unauthorized solid waste collection in SSC's

1 territory in Whatcom County. Respondent is thus allegedly providing unauthorized solid waste
2 collection service to customers who rightfully should be served by SSC. If so, SSC is being
3 harmed by Respondent's activities, both through financial loss and injury to SSC's reputation.
4 SSC believes that it therefore has an interest in the proceedings.

5 4. Petitioner's position regarding the matters at issue:

6 Petitioner supports the positions stated by paragraphs 1-4 of the Order to Show Cause and
7 Notice of Hearing filed by the Attorney General's Office in this matter.

8 5. Petitioner's position regarding the issues:

9 Petitioner does not intend to broaden the issues in the proceeding.

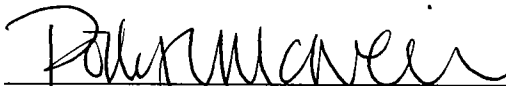
10 6. Request for relief:

11 Petitioner requests leave to intervene in this proceeding in support of the claims described
12 in the Order to Show Cause, pursuant to WAC 480-07-355.

13 DATED this 22 day of November, 2004.

14 Respectfully submitted,

15 SUMMIT LAW GROUP PLLC

16 By: 
17 Polly L. McNeill, WSBA #17437

18 Attorneys for Petitioner Sanitary Service Company,
19 Inc.

1 **CERTIFICATE OF SERVICE**


2 I do hereby certify that on this 22nd day of November, 2004, I caused to be served a true
3 and correct copy of the foregoing *Petition to Intervene by Sanitary Service Company, Inc.* by
4 method indicated below and addressed to the following:

5 By: United States Mail Overnight Mail Facsimile Hand Delivered

6 Lisa Watson
7 Senior Assistant Attorney General
8 1400 S. Evergreen Park Drive S.W.
9 P.O. Box 40128
Olympia, WA 98504-0128
Commission

James M. Van Nostrand
Stoel Rives, LLP
900 S.W. Fifth Avenue, Suite 2600
Portland, OR 97204
Attorneys for Respondent

10 James K. Sells
11 Ryan Sells Uptegraft, Inc. P.S.
12 9657 Levin Road NW, Suite 240
Silverdale, WA 98383
Attorneys for Intervenor WRRRA

13
14 
15 _____
Carol Cannon

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

For the Operation of Motor Propelled Vehicles

pursuant to the provisions of Chapter 81 RCW

THIS IS TO CERTIFY that authority is granted to operate as a MOTOR CARRIER in the transportation of the commodities and in the territory described herein to

SANITARY SERVICE CO., INC.
d/b/a SANITARY SERVICE COMPANY
AND RECYCLING SERVICE
1001 ROEDER AVE.
POST OFFICE BOX 1702
BELLINGHAM, WA 98227

Cert. No.
G-14

SOLID WASTE COLLECTION SERVICE IN THE City of Bellingham and in Whatcom County; EXCLUDING the City of Blaine, Washington, and within a radius of one mile of said city limits; EXCLUDING that portion of Whatcom County described as Point Roberts; EXCLUDING that portion of Whatcom County beginning at the N. E. corner of Sec. 32, T. 41 N., R. 1 E.; thence south on Harvey Road projected to I-5 Highway; thence southeasterly on I-5 Highway to Birch-Bay-Lynden Road; thence east on Birch-Bay-Lynden Road projected to the Hannegan Road; thence south on Hannegan Road to Hemmi Road; thence east on Hemmi Road, Fazon Road, Goshen Road and Cedarville Road to SR-542; thence easterly and northerly on SR-542 to Kendall Road; thence northerly and westerly on Kendall Road to Hillview Road; thence easterly and northerly on Hillview Road to Nims Road; thence north on Nims Road projected to the Canadian boundary; thence west on the Canadian boundary to the N. E. corner of Sec. 32, T. 41 N., R. 1 E., the place of beginning.

AND EXCLUDING: That portion of Whatcom County described as follows: Starting at the northwest corner of Section 4, T10E, R40N; thence south on the west line of said section to the northeast corner of Section 20, T10E, R39N; thence west on the north line of said section to the northwest corner of Section 22, T9E, R39N; thence south on the west line of said section to the northeast corner of Section 33, T9E, R39N; thence west on the north line of said section to the northwest corner of Section 36, T8E, R39N; thence south on the west line of said section to the southwest corner of Section 36, T8E, R37N (also the Whatcom-Skagit County line); thence east along the south range line of R37N (also the Whatcom-Skagit County line) to its intersection with the Whatcom-Okanogan County line (near the south line of Section 33, T16E, R37N); thence northerly along said county line to its intersection with the north range line of

(Continued)



WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

Carole J. Shackburn

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Continuation

R40N (near the north line of Section 2, T15E, R40N); thence west along said range line to the northwest corner of Section 4, T10E, R40N, the point of beginning.

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

TG-011394

02-13-02



(Continued)