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BEFORE THE WASHINGTON STATE UTILITIES
AND TRANSPORTATION COMMISSION

In re Docket No. TG-220243,
Jammie’s Environmental Inc.
128 Industrial Way
Longview, Washington 98632

TG-220243
PROTEST OF BASIN DISPOSAL, INC.
TO SOLID WASTE CERTIFICATE
APPLICATION

COMES NOW, BASIN DISPOSAL INC., “Basin” or “Protestant”, under Washington Utilities and Transportation Commission Certificate Nos. G-118 and through its counsel, Blair I. Fassburg of Williams, Kastner & Gibbs PLLC, 601 Union Street, Suite 4100, Seattle, Washington, 98101, (206) 628-6600, and pursuant to WAC 480-70-106(2), protest the above-entitled solid waste certificate application which seeks authority for:

Specialized solid waste collection (as a class C company), providing service to Packaging Corporation of America located at 31831 S Hwy 12 in Wallula, WA 99363. Collecting processed and rejected corrugated cardboard waste, hazardous waste, dangerous waste, special waste (e.g. any solid waste that requires additional processing, special handling, special packaging, special transportation and or additional disposal techniques due to its quantity, concentration, physical or chemical characteristics or biological properties, and other solid waste that is not hazardous, dangerous or special, excepting (a) Non-hazardous solid waste from residential customers, (b) Municipal solid waste and (c) biomedical or biohazardous waste. Dropbox service may be provided for Hazardous, Dangerous and/or special waste only.

This protest is submitted on the following grounds:

1 I.

2 Basin is the holder and operators of Solid Waste Certificate G-118, attached hereto as
3 Exhibit A. As said exhibit indicates, Protestant currently holds authority in conflict with and
4 which overlaps the applied-for solid waste authority as noted above.

5 II.

6 Protestant, as the holder of an overlapping solid waste certificate, therefore alleges it
7 has a direct, cognizable interest in this proceeding adverse to this application, and further alleges
8 that the applicant is unable to establish it will not provide service to the satisfaction of the
9 Commission, that the applicant is fit, willing and able to provide the proposed service, and/or that
10 the applicant's service is required by the present or future public convenience and necessity, as
11 mandated by RCW 81.77.040.

12 III.

13 Pursuant to their authorities under their permanent solid waste certificates, Basin is ready,
14 willing and able to provide all of the collection and transportation services to the generating public
15 sought by the applicant. Protestant has invested in serving its solid waste collection customers in
16 the transportation of OCC Rejects.

17 IV.

18 Moreover, as alluded to in paragraph II, above, Basin allege that this applicant cannot
19 establish its fitness to conduct operations, its compliance with Washington law and rule, and/or
20 that its service would be consistent with the public interest or required by the present or future
21 public convenience and necessity under RCW 81.77.040. As admitted in its application, this
22 applicant has been providing solid waste collection service in violation of RCW 81.77.040 and
23 WAC 480-70-081, which prohibit operating a solid waste collection company without first
24 obtaining a certificate of public convenience and necessity from the Commission.

1 Protestant will appear at any hearing on this matter and will present evidence through
2 approximately two witnesses, requiring an estimated hearing time of three hours.

3 WHEREFORE, Basin Disposal, Inc. Protestant herein, requests that its right to participate
4 in the entirety of Application TG-220243 be fully affirmed, are currently unaware of any
5 restrictive amendment which would or could satisfy their interest herein, and therefore ask that
6 Application No. TG-220243 of Jammie's Environmental, Inc. be denied in its entirety.

7 DATED this 20th day of April, 2022.

8
9
10 /s/ Blair I. Fassburg
11 Blair I. Fassburg, WSBA #41207
12 Attorneys for Protestant
13 WILLIAMS, KASTNER & GIBBS PLLC
14 601 Union Street, Suite 4100
15 Seattle, WA 98101-2380
16 Telephone: (206) 628-6600
17 Fax: (206) 628-6611
18 Email: bfassburg@williamskastner.com

1 CERTIFICATE OF SERVICE

2 I hereby certify that I have this day filed the PROTEST OF BASIN DISPOSAL, INC. TO
3 SOLID WASTE CERTIFICATE APPLICATION with the WUTC via their web portal and
4 served the same upon the below parties of record by electronic transmission:
5

6 David Steele
7 Perkins Coie LLP
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18 DATED at Seattle, Washington this 20th day of April, 2022.

19 s/ Maggi Gruber
20 Maggi Gruber
21 Legal Assistant
22 WILLIAMS KASTNER & GIBBS PLLC
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24 Seattle, WA 98101
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