

EXHIBIT RM-09
DOCKET: TG-200083
RIDWELL INC. CARRIER CLASSIFICATION
WITNESS: RYAN METZGER

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

IN THE MATTER OF DETERMINING THE
PROPER CARRIER CLASSIFICATION OF:

No. TG-200083

RIDWELL, INC.

NINTH EXHIBIT TO THE DIRECT TESTIMONY OF RYAN METZGER
Email Correspondence between UTC Staff and WRRRA
ON BEHALF OF RIDWELL, INC.

May 5, 2020

From: Brad Lovaas Brad@wrra.org 

Subject: RE: 1-800-Got-Junk claims it is collecting the solid waste tax

Date: March 12, 2013 at 2:36 PM

To: Pratt, David (UTC) DPratt@utc.wa.gov, Young, Betty (UTC) BYoung@utc.wa.gov, King, Steve (UTC) SKing@utc.wa.gov, Jim Sells jamesells@comcast.net, Dave Wiley dwiley@williamskastner.com

Cc: Young Betty (UTC) BYoung@utc.wa.gov, King Steve (UTC) SKing@utc.wa.gov JimSells

BL

Dave

Thank you for responding. I appreciate the fact that the enforcement and business compliance staff are both looking into this issue.

Please refer to previous orders and investigations specifically the "Glacier" and "T&T" where "incidental" was abused, and look at the discussion/order on the meaning of "incidental." I also believe that the collection of the solid waste tax may also be a lead to be pursued. That tax is only collected on the collection or disposal of solid waste, and then remitted to the DOR, usually "other" businesses collect a sales tax and not the solid waste tax.

Best Regards,

Brad

Brad Lovaas
Executive Director

4160 6th Ave. SE Suite 205
Lacey, WA 98503
Phone: 360-943-8859
Fax: 360-357-6958
Web: www.wrra.org

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-----Original Message-----

From: Pratt, David (UTC) [mailto:DPratt@utc.wa.gov]
Sent: Tuesday, March 12, 2013 1:05 PM
To: Brad Lovaas; Jim Sells; Dave Wiley
Cc: Young, Betty (UTC); King, Steve (UTC)
Subject: RE: 1-800-Got-Junk claims it is collecting the solid waste tax

Hello Brad -- Sorry for not responding sooner.

Thank you for bringing this to our attention. Nothing in the UTC's statutes says that a company is subject to regulation simply because it pays the solid waste tax. The commission does not regulate all companies that collect and transport solid waste - see WAC 480-70-011, Exempt Operations, and specifically:

(g) The operations of private carriers who, in their own vehicles, transport solid waste purely as an incidental adjunct to some other established private business owned or operated by them in good faith. This private-carrier exemption does not include persons transporting solid waste from residential sources, such as apartment houses or mobile home parks, in vehicles designed or used primarily for the transport of solid waste;

1-800-Got-Junk is a franchise operation so there are many different operators throughout the state. We understand that each franchisee could provide different services, some of which may make them subject to regulation. Staff has reviewed several companies' operations and concluded they were not subject to regulation. However, even if that included some 1-800-Got-Junk franchisees, it may not be appropriate to apply that same conclusion to all 1-800-Got-Junk franchisees.

To determine if this franchisee is subject to regulation, our next step is to contact the company to request a description of the services that it provides. We will evaluate the information we receive to determine if further action is warranted.

Thanks again for the referral.

-----Original Message-----

From: Brad Lovaas [mailto:Brad@wrra.org]
Sent: Thursday, February 28, 2013 2:38 PM
To: Young, Betty (UTC); Wallace, Sharon (UTC)
Cc: Pratt, David (UTC); Jim Sells; Dave Wiley
Subject: 1-800-Got-Junk claims it is collecting the solid waste tax

Sharon and Betty,

I hope all is well with you both.

See the attached document which makes us questions 1-800-Got-Junk's status as a solid waste collection company.

The solid waste tax is only collected for the collection and disposal of solid waste. This seems to prove that this company is in the solid waste business and collecting without a WUTC permit per 81.77.

I also assume they should be regulated by the WUTC as a common carrier and have a cc permit etc.

Best Regards,

Brad

Brad Lovaas
Executive Director

4160 6th Ave. SE Suite 205
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-----Original Message-----

From: Wiley, Dave [mailto:dwiley@williamskastner.com]
Sent: Thursday, February 28, 2013 2:27 PM
To: Jim Sells (jamesells@comcast.net); Brad Lovaas
Cc: Borgida, Jeff (JBorgida@republicservices.com)
Subject: FW: Scan from a Xerox WorkCentre

I think the expression " hosted on their own petard" is apt here don't you guys? Let's see if the Commission is serious about its new enforcement policy. I don't see how you can be registered to collect the solid waste collection tax from generators and not be a solid waste collection company. Thoughts? Dave.

-----Original Message-----

From: Sichmeller, Jeff
Sent: Thursday, February 28, 2013 12:08 PM
To: Manes, Dennis; Barco, Joseph; Borgida, Jeff
Cc: Hutchinson, James; Tuckner, Paul; Ringlaben, Paul
Subject: FW: Scan from a Xerox WorkCentre

Guys,

This company may be infringing on your UTC or City contracts. In the past they have always been considered a janitorial service but now it looks like they have been permitted to collect solid waste from department of revenue.

Jeffrey L. Sichmeller
Division Controller
Republic Services
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(206) 332-7744

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