

BEFORE THE WASHINGTON STATE UTILITIES  
AND TRANSPORTATION COMMISSION

In re Application TG-150771

Topsoils, Inc.  
d/b/a United Recycling & Container  
18827 Yew Way  
Snohomish, WA 98296

DOCKET NO. TG-150771

PROTEST OF RABANCO LTD AND  
KENT-MERIDIAN DISPOSAL CO. TO  
SOLID WASTE CERTIFICATE  
APPLICATION

1 COMES NOW, RABANCO LTD d/b/a LYNNWOOD DISPOSAL, EASTSIDE  
DISPOSAL, RABANCO COMPANIES, SEA-TAC DISPOSAL, and KENT-MERIDIAN  
DISPOSAL CO., et al., collectively “Rabanco” or “Protestants”, under Washington Utilities and  
Transportation Commission Certificate Nos. G-12 and G-60, by and through their counsel, David  
W. Wiley of Williams, Kastner & Gibbs PLLC, 601 Union Street, Suite 4100, Seattle,  
Washington, 98101, (206) 233-2895, and, pursuant to WAC 480-70-106(2), protest the above-  
entitled solid waste certificate application which seeks authority for:

RESIDENTIAL RECYCLING COLLECTION SERVICE ONLY using 10-40 yard drop boxes,  
as requested by a homeowner from remodel/clean-up projects. Recyclable materials collected  
will include, but not limited to, wood, non-food plastics, metal, brush, gypsum, cardboard, and  
aggregates in King and Snohomish Counties

2 This protest is submitted on the following grounds:

**I.**

Rabanco, LTD and Kent-Meridian Disposal Co. et al. are the holders and operators of  
Solid Waste Certificates G-12-and G-60, attached hereto as Exhibits A and B. As said exhibits  
indicate, Protestants currently hold authority in conflict with and which overlap the applied-for  
residential solid waste recyclables authority as noted above.

## II.

3 Protestants, as the holders of overlapping solid waste certificates, therefore allege they have a direct, cognizable interest in this proceeding adverse to this application, and further allege that the applicant is unable to establish it will provide service to the satisfaction of the Commission, that the applicant is fit, willing and able to provide the proposed service, and/or that the applicant's service is required by the present or future public convenience and necessity, as mandated by RCW 81.77.040

## III.

4 Pursuant to their authorities under their permanent solid waste certificates, Protestants are ready, willing and able to provide all of the collection and transportation services to the residential recycling generating public sought by applicant including residential recycling drop box service from remodel and clean-up projects. Protestants have invested millions of dollars in serving their regulated residential solid waste collection customers in the transportation of recyclable materials from within King and Snohomish Counties. The regulated 10-40 yard container residential recycling solid waste collection service proposed by applicant is not required by the public convenience and necessity, is not, to Protestants' knowledge, an historically requested service, and would potentially duplicate and/or increase the cost of offering a broader range of services to all classes of customers by Protestants, and is therefore contrary to the public interest.

## IV.


5 Moreover, as alluded to in paragraph II, above, Protestants allege that this applicant cannot establish its fitness to conduct operations, its compliance with Washington law and rule, and/or that its service would be consistent with the public interest or required by the present or future public convenience and necessity under RCW 81.77.040.

6 Protestants testify that they will appear at any hearing on this matter and will present  
evidence through approximately two witnesses, requiring an estimated hearing time of one and one  
half hours.

7 WHEREFORE, Rabanco, LTD and Kent-Meridian Disposal Co., Protestants herein, pray  
that their right to participate in the entirety of Application TG-150771 be fully affirmed, are  
currently unaware of any restrictive amendment which would or could satisfy their interest herein,  
and therefore ask that Application No. TG-150771 of Topsoils, Inc. d/b/a United Recycling &  
Container be denied in its entirety.

8 Dated this 21<sup>st</sup> day of July 2015 at Seattle, Washington

RESPECTFULLY SUBMITTED,

By   
David W. Wiley, WSBA #08614  
Attorneys for Protestants  
WILLIAMS, KASTNER & GIBBS PLLC  
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CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2015 I caused to be served the original and two (2) copies of the foregoing document to the following address via first class mail, postage prepaid to:

Steven V. King, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
Attn.: Records Center  
P.O. Box 47250  
1300 S. Evergreen Park Dr. SW  
Olympia, WA 98504-7250

I certify I have also provided to the Washington Utilities and Transportation Commission's Secretary an official electronic file containing the foregoing document via email to:  
[records@utc.wa.gov](mailto:records@utc.wa.gov)

and a copy via first class mail, postage prepaid, to:

Dan McAuliffe  
Topsoils, Inc.  
d/b/a United Recycling & Container  
18827 Yew Way  
Snohomish, WA 98296

Dated at Seattle, Washington this 21<sup>st</sup> day of July, 2015.

  
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MAGGI GRUBER  
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