

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Joint Application to transfer full rights under certificate of public convenience and necessity from:

LAMB, LEE A. d/b/a LAMB'S DISPOSAL, (CERTIFICATE G000259)

to:

SPHULER INC d/b/a SPHULER DISPOSAL

DOCKET TG-230628

ORDER 01

GRANTING TRANSFER
APPLICATION OF CERTIFICATE
G000259

BACKGROUND

1 On August 1, 2023, Lamb, Lee A. d/b/a Lamb's Disposal (Lamb's Disposal), and Sphuler Inc d/b/a Sphuler Disposal (Sphuler) filed a joint application in Docket TG-230628 (Joint Application) with the Washington Utilities and Transportation Commission (Commission) to transfer the full rights under certificate of public convenience and necessity G000259 (certificate G000259):

SOLID WASTE COLLECTION SERVICE (Excluding containers and drop boxes of two yard capacity or greater) in that portion of Stevens County described as follows:

Beginning at the intersection of centerline of Kettle River (also Stevens - Ferry County line) and south line of Section 32, T38N, R37E, then east along the south line of said section extended to the Northwest corner of section 6, T37N, R40E, south along the west line of section 6, T37N, R40E, extended to the southwest corner of Section 19, T37N, R40E, then east along the south line of said section extended to the southeast corner of section 21 T37N, R41E, then north along the east line of said section projected due north to its intersection with the north line of Section 4, T40N, R41E (also the US - Canadian border) then west along the north line of said section extended to its intersection with the Stevens - Ferry county line then south along the said county line to its intersection with the south line of section 32, T38N, R37E, the point of beginning.

SOLID WASTE COLLECTION SERVICE (excluding the use of drop boxes) in the city of Northport and along the following roads in Stevens County:

1. Beginning at the US/Canadian border on State Route 25 at State Route Mile Post (SRMP) 121.2 mi.; thence south along State Route 25 to its intersection with Clugston-Onion Creek Road (SRMP 106.3).

2. Beginning at the intersection of State Route 25 and Old Highway Northport Road; thence following Old Highway Northport Road to its intersection with Aladdin Road; thence southerly (about 5 miles) along Aladdin Road to its intersection with the south line of Section 32 T. 38N., R.41 E. 3. Beginning at the intersection of Aladdin Road and Deep Lake Road; thence northerly and westerly along Deep Lake Road to its intersection with Northport-Boundary Road. 4. Beginning at the intersection of State Route 25 and the Northport-Boundary Road (SRMP 113.7); thence northerly along the Northport-Boundary Road to the US/Canada border.

The above authority includes service along connecting roads to off- route points within five miles of the above-named roads.

2 Certificate G000259 is held by Lamb’s Disposal and authorizes solid waste collection as described in the certificate.

3 Since certificate G000259 was originally created, two road names are no longer accurate. Deep Lake Rd is now Deep Lake Boundary Rd and Northport-Boundary Rd is now North-Waneta Rd.

4 The application appeared on the August 3, 2023, application docket. Interested parties were notified of the application to give them an opportunity to express their views. The application was not protested.

5 Lamb’s Disposal serves 104 customers. A notice was sent to its customers on August 14, 2023, to notify the customers of the certificate transfer to Sphuler. This notice was reviewed by Staff prior to being sent to customers and provided instructions to comment. No comments have been received.

DISCUSSION AND DECISION

6 The Commission grants the Joint Application, which was not protested by any other solid waste carrier companies. Pursuant to RCW 81.77.040, “[a]ny right, privilege, certificate held, owned, or obtained by a solid waste collection company may be sold, assigned, leased, transferred, or inherited as other property, only if authorized by the commission.”

The parties to this docket have properly filed a joint application as required by WAC 480-70-116(2).

7 The Commission, having considered the application and being fully advised, finds that the Sphuler is fit, willing and able to furnish the transfer of rights under certificate G000259, that the transfer of rights under that certificate to Sphuler will not be detrimental to the public interest. The Commission also finds that Sphuler is fit, willing, and able to furnish the transferred service and that the transferred service continues to be necessary and a convenience to the public.

ORDER

THE COMMISSION ORDERS:

- 8 (1) The Joint Application filed in this docket to transfer full rights under certificate of public convenience and necessity G000259 from Lamb, Lee A d/b/a Lamb's Disposal to Sphuler Inc d/b/a Sphuler Disposal is granted.
- 9 (2) Certificate G000259 is reissued to Sphuler Inc d/b/a Sphuler Disposal, as set forth in attached Appendix A.
- 10 (3) The tariff adopted in connection with this Joint Application will become effective at 12:01 a.m. on the day following the service date of this Order.
- 11 (4) The retains jurisdiction over the subject matter, Lamb, Lee A d/b/a Lamb's Disposal, and Sphuler Inc d/b/a Sphuler Disposal to effectuate the provisions of this Order.
- 12 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order).

DATED at Lacey, Washington, and effective September 14, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

KATHY HUNTER
Acting Executive Director and Secretary

NOTICE TO PARTIES: This is an order delegated to the Acting Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.

APPENDIX A

Sphuler Inc
d/b/a Sphuler Disposal
4929 Hwy 25 N
Northport, WA 99157

CERT. NO.
G000259

SOLID WASTE COLLECTION SERVICE (Excluding containers and drop boxes of two yard capacity or greater) in that portion of Stevens County described as follows:

Beginning at the intersection of centerline of Kettle River (also Stevens - Ferry County line) and south line of Section 32, T38N, R37E, then east along the south line of said section extended to the Northwest corner of section 6, T37N, R40E, south along the west line of section 6, T37N, R40E, extended to the southwest corner of Section 19, T37N, R40E, then east along the south line of said section extended to the southeast corner of section 21 T37N, R41E, then north along the east line of said section projected due north to its intersection with the north line of Section 4, T40N, R41E (also the US - Canadian border) then west along the north line of said section extended to its intersection with the Stevens - Ferry county line then south along the said county line to its intersection with the south line of section 32, T38N, R37E, the point of beginning.

SOLID WASTE COLLECTION SERVICE (excluding the use of drop boxes) in the city of Northport and along the following roads in Stevens County:

1. Beginning at the US/Canadian border on State Route 25 at State Route Mile Post (SRMP) 121.2 mi.; thence south along State Route 25 to its intersection with Clugston-Onion Creek Road (SRMP 106.3).
2. Beginning at the intersection of State Route 25 and Old Highway Northport Road; thence following Old Highway Northport Road to its intersection with Aladdin Road; thence southerly (about 5 miles) along Aladdin Road to its intersection with the south line of Section 32 T. 38N., R.41 E.
3. Beginning at the intersection of Aladdin Road and Deep Lake Boundary Road; thence northerly and westerly along Deep Lake Boundary Road to its intersection with Northport-Waneta Road.
4. Beginning at the intersection of State Route 25 and the Northport-Waneta Road (SRMP 113.7); thence northerly along the Northport-Waneta Road to the US/Canada border.

The above authority includes service along connecting roads to off- route points within five miles of the above-named roads.

TG-230628

September 14, 2023