

Exh. SS-6T
Docket TG-181023
Witness: Scott Sevall

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application of

SUPERIOR WASTE & RECYCLE LLC

**For Authority to Operate as a Solid Waste
Collection Company in Washington**

DOCKET TG-181023

SUPPLEMENTAL TESTIMONY OF

SCOTT SEVALL

**STAFF OF
WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

Supplemental Testimony

July 30, 2019

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LIST OF EXHIBITS

- SS-7(C) Waste Management Customer Complaints**
SS-8(C) Waste Management Survey Notes
SS-9(C) Waste Management Survey Notes-B

1 **I. INTRODUCTION**

2

3 **Q. Please state your name and business address.**

4 A. My name is Scott Sevall. My business address is 621 Woodland Square Loop SE,
5 Lacey, WA 98503, P.O. Box 47250, Olympia, WA 98504.

6

7 **Q. Are you the same Scott Sevall who submitted testimony on behalf of Staff on in**
8 **this docket?**

9 A. Yes.

10

11 **Q. What is the purpose of your testimony?**

12 A. The purpose of my testimony is to clarify Staff's position since new information has
13 come forth since my last testimony. I plan to address Superior Waste's fitness,
14 whether pack-out is different than drive-in service, whether there is a public need for
15 a new certificate, and whether Staff believes Waste Management's service is to the
16 satisfaction of the Commission.

17

18 **II. FITNESS OF SUPERIOR WASTE**

19

20 **Q. Does Superior Waste appear fit to provide service?**

21 A. Yes. The record in this case supports the conclusion that Superior Waste has
22 provided service to customers since 2015. Staff's financial review (while not

1 required by law) found that Superior Waste had the means to continue service for at
2 least 12 months going forward.

3

4

III. PACK-OUT VS. DRIVE-IN SERVICE

5

6 **Q. Are you familiar with Item 80 of the solid waste tariffs which are published**
7 **under the jurisdiction of the Commission?**

8 A. Yes.

9

10 **Q. What services are offered under Item 80?**

11 A. Carry-out and Drive-in Service.

12

13 **Q. Please explain what Drive-in service is?**

14 A. Drive-in service is an extra service added to the standard curbside collection done at
15 the customer's request. It involves the solid waste company driving their collection
16 truck down the customer's driveway to pick up the customer's solid waste, recycling,
17 or organics cans or totes.

18

19 **Q. In this record Superior Waste testifies to providing "Pack-out" service. From**
20 **your understanding is "Pack-out" service different than Drive-in service?**

21 A. No.

22

23

1 **IV. PUBLIC NEED FOR A NEW CERTIFICATE**

2

3 **Q. How many customers does Superior Waste provide drive-in service to?**

4 A. 53.

5

6 **Q. How many estimated customers are in the area Superior Waste has applied to**
7 **serve?**

8 A. 1,100.

9

10 **Q. All of these customers are located within Waste Management’s certificated**
11 **area. Have you determined why Superior Waste’s customers are not presently**
12 **receiving drive-in service from Waste Management?**

13 A. Yes. Two customers are excluded from the tariff due to tariff limitations. Thirty-four
14 customers (including the two excluded by limitations) are not provided service
15 because of safety concerns related to privately maintained roads. The rest of the
16 customers seem to be dissatisfied with Brem-Air Disposal’s tariff rates for drive-in
17 service.

18

19 **Q. Focusing on the 34 customers who are not receiving service from Waste**
20 **Management because of safety concerns, does the Commission allow safety**
21 **exemptions?**

22 A. Yes, WAC 480-70-366, Refusal of Service, authorizes safety exemptions in section
23 (2). Also, Waste Management’s tariff Item 30 states the limitations of service.

1

2 **Q. Is there anything in the record that makes you doubt Waste Management's**
3 **safety concerns?**

4 A. No. In reviewing the customer support statements one stated "I do not believe that
5 Waste [Managements's] heavy & large garbage trucks would be able to safely and
6 regularly travel up the paved portion, and it would be extremely difficult if not
7 impossible to traverse the dirt gravel roads—particularly without doing damage to
8 the private roads."¹

9

10 **Q. Given that all but two of Superior Waste's customers are within Waste**
11 **Management's tariff or restricted from drive-in service by safety concerns, do**
12 **you believe there is a public need for a new certificated hauler?**

13 A. No.

14

15 **V. SERVICE TO THE SATISFACTION OF THE COMMISSION**

16

17 **Q. Based on the present record, will Waste Management provide service to the**
18 **satisfaction of the Commission?**

19 A. Yes. In Staff's response to Waste Management's data request 0002 it was reported
20 that since January 1, 2017 the Commission received 23 customer complaints about
21 Waste Management for the Brem-Air operation, of which three complaints were
22 upheld in the customer's favor. The nature of the complaints found in the customer's

¹ Docket TG 181023, DS-4, 6-7.

1 favor were billing errors and missed pickups; none were for refusal of service. In
2 determining satisfactory service, the Commission considers, among other factors, the
3 nature and seriousness of complaints, the willingness of the company to resolve
4 them, and the cooperative nature of the company in following Commission rules and
5 regulations. Staff does not believe that the facts in the three consumer upheld
6 complaints, nor anything else in the record, demonstrates that Waste Management is
7 not providing satisfactory service based the factors identified above.

8
9 **Q. Is Commission Staff aware of any complaints regarding Waste Management's**
10 **provision of drive-in service from customers currently receiving drive-in service**
11 **from Waste Management at this time?**

12 A. No.

13
14 **Q. Has Superior Waste demonstrated that Waste Management will not provide**
15 **service to the satisfaction of the Commission?**

16 A. No.

17
18 **Q. Does Commission Staff have any additional comments regarding Waste**
19 **Management's service as a result of this proceeding?**

20 A. The record supports that customers in the area Superior Waste has applied for have
21 long distances from their home to the collection point where solid waste, recycling,
22 and organics cans/totes are placed for pickup. While Staff does not believe that the
23 record demonstrates that Waste Management's service is unsatisfactory, there is an

1 expectation that the company will work with these customers to achieve universal
2 service goals for all customers within the service territory. This may require
3 investing in different assets capable of providing the service safely. Staff also
4 believes the limits placed on carry-out and drive-in service should be removed so
5 that the Brem-Air Disposal customers have potential access to the same services as
6 other regulated customers.

7

8

VI. CONCLUSION

9

10 **Q. Have you drawn a conclusion based on the record so far?**

11 A. Yes. Staff concludes that Superior Waste has not demonstrated that Waste
12 Management's service is unsatisfactory with respect to the 51 customers within the
13 Brem-Air service area. With respect to the remaining two customers (not currently
14 eligible for drive-in service), Staff does not believe that Superior Waste has
15 demonstrated a public need for the applied for certificate.

16

17 **Q. Does this conclude your testimony?**

18 A. Yes.