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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

October 21, 2003

Via Facsimile and U.S. Mail

Dennis J. Moss
Administrative Law Judge
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Re: Settlement of *Murrey's Disposal Company v. Waste Management of Washington, Inc.* (TG-030673)

Dear Judge Moss:

This letter is to inform you of the parties' success in negotiating settlement of the above-identified matter, and to ask that you issue an order to facilitate its implementation. I submit this request on behalf of both my client, Waste Management of Washington, Inc., and also with the endorsement of Dave Wiley, on behalf of his client Murrey's Disposal Company.

The key aspect of our proposed settlement is that Waste Management of Washington, Inc. has agreed to relinquish the portion of its authority that overlaps Murrey's Disposal Company, and which was the subject of the underlying claims upon which the Complaint was based. In exchange, Murrey's Disposal Company has agreed to withdraw its Complaint.

We are not entirely certain of the appropriate means for effectuating this settlement, but offer the following suggestions for consideration by you, subject to input from the Attorney General representing the staff and from Mr. Sells representing the intervenor Washington Refuse and Recycling Association. We believe the first step would be for you to issue an order approving the relinquishment as part of the settlement. Upon your order, staff can prepare and issue a revised Certificate No. G-237 removing the contested territory. When the revised certificate is issued, Waste Management will mail a thirty-day discontinuance notice to its customers – and

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so the order approving the relinquishment would need an effective date that enables Waste Management to continue service until the thirty-day notice period has expired. Our goal is to transition Waste Management's existing customers to Murrey's Disposal on December 1, which is the end of the billing cycle and would therefore be least disruptive to customers. Also upon issuance of the revised certificate, Murrey's Disposal will formally withdraw its Complaint.

The territory being relinquished is more specifically described as follows:

SOLID WASTE COLLECTION SERVICE in Clallam County EXCLUDING the following described territory: Starting at the intersection of the south line of T. 30 N., R. 15 W., and the shore line of the Pacific Ocean, thence northerly along said shore line to Cape Flattery, thence easterly along the shore line of the Strait of Juan de Fuca to the east line of T. 31 N., R. 10 W., thence south on said line projected to the south line of said township, thence west to the south line of said township projected to the east line of T. 30 N., R. 15 W., thence south on said line projected to the south line of said township, thence west on the south line of said township projected to the shore line of the Pacific Ocean, the place of beginning.

RUBBISH COLLECTION SERVICE not requiring the use of a dump truck in those portions of Jefferson and Clallam Counties currently contained in Certificate G-237.

The above-described territory is contained within Certificate No. G-9, and Murrey's Disposal has full authority to provide service to all customers within it. It is a complete description of the disputed territory in this matter.

Both Mr. Wiley and I thank you for your consideration of this request, and offer our availability to discuss this process further or answer any questions you or any of the other parties may have.

Sincerely,

SUMMIT LAW GROUP PLLC



Polly L. McNeill

cc: Dave Wiley
Jim Sells
Bonnie Allen