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JAMES E. RYAN  
JAMES K. SELLS  
DARRELL D. UPTEGRAFT, JR.  
ANNE M. MONTGOMERY

January 18, 2010

CHERYL K. RIFE  
CHERRY L. DAVIS  
MARY SPAUN

GORDON L. WALGREN, *Of Counsel*

Mr. Dave Danner  
Executive Director and Secretary  
Washington Utilities and  
Transportation Commission  
1300 S Evergreen Park Dr. SW  
P. O. Box 47250  
Olympia, WA 98504-7250

RECEIVED  
WASTE MANAGEMENT  
2010 JAN 20 AM 8:07  
STATE OF WASH.  
UTIL. AND TRAFFIC  
COMMISSION

**Re: No. TG-091933 and 091945**  
***WUTC v. Waste Management d/b/a Waste Management of Sno-King***

Dear Mr. Danner:

Enclosed you will find an original and 12 copies of Petition to Intervene of Washington Refuse and Recycling Association.

Very truly yours,

RYAN SELLS UPTEGRAFT, INC. P.S.



Cheryl L. Sinclair  
Legal Assistant to  
JAMES K. SELLS

enc.

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STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

2010 JAN 20 AM 8:07

BEFORE THE WASHINGTON UTILITIES  
AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Case No.: TG-091933

Complainant,

vs.

WASTE MANAGEMENT OF WASHINGTON,  
INC., d/b/a WASTE MANAGEMENT OF  
SNO-KING,

PETITION TO INTERVENE  
OF WASHINGTON REFUSE  
AND RECYCLING ASSOCIATION

Respondent.

\*\*\*\*\*

Docket No. TG-091945

In the Matter of the Petition of

WASTE MANAGEMENT OF WASHINGTON,  
INC., d/b/a WASTE MANAGEMENT OF  
SNO-KING,

For Rule Interpretation or Alternatively  
for Modification or Exemption of  
WAC 480-07-520(4)

**COMES NOW** the Washington Refuse and Recycling Association  
(WRRRA), and respectfully petitions to intervene in the above matter pursuant  
to WAC 480-07-355, and in doing so alleges as follows:

1           1)     Proposed intervenor's address is: 4160 6<sup>th</sup> Ave. SE, Suite 205,  
2 Lacey, Washington 98503.

3           2)     WRRRA is a trade association representing over 30 solid waste  
4 haulers in Washington state. As such, it has taken part as a party or  
5 intervenor in virtually every WUTC hearing regarding solid waste since the  
6 inception of regulation of solid waste. Matters involving regulation of the solid  
7 waste industry are of interest to the members of WRRRA, who would not be  
8 parties in this action. The issues presented in this action are of substantial  
9 interest to the solid waste industry in Washington in general, and to all  
10 individual G-certificate holders who are members of WRRRA.

11           3)     A trade association such as WRRRA is included in the definition of  
12 "person" in WAC 480-07-340(1)(a). WAC 480-07-355(1)(a) provides that "any  
13 person" may file a Petition to Intervene.

14           4)     WRRRA does not intend to broaden the issues in this matter.

15           5)     WRRRA's position with respect to the issues herein is similar to  
16 that of Waste Management of Washington, Inc., in that it appears that the  
17 industry and the Commission would both benefit from interpretation of the  
18 rules at issue and the methods of application of those rules.

19           6)     Waste Management of Washington, Inc. is not a member of  
20 WRRRA.

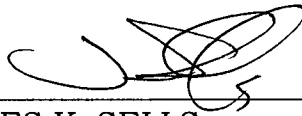
21           7)     Proposed intervenor's attorney is:

22                     James K. Sells  
23                     Ryan Sells Uptegraft, Inc. P.S.  
24                     9657 Levin Rd. NW, Suite 240  
25                     Silverdale, WA 98383  
26                     Phone: 360.307.8860  
                      Fax: 360.307.8865  
                      e-mail: [jimsells@rsulaw.com](mailto:jimsells@rsulaw.com)

**WHEREFORE**, WRRRA prays that it be allowed to participate as an  
intervenor in this matter.

///  
///

1 DATED this 19 day of January 2010.



3 JAMES K. SELLS  
4 WSBA No. 6040  
5 Ryan Sells Uptegraft, Inc. P.S.  
6 9657 Levin Rd. NW, Suite 240  
7 Silverdale, WA 98383  
8 Attorneys for Washington Refuse  
9 and Recycling Association

8 **CERTIFICATE OF SERVICE**

9 I hereby certify that I have this day served this document upon all  
10 parties of record in this proceeding, by the method as indicated below,  
11 pursuant to WAC 480-07-150.

12 13 14 15 16 <i>Representative:</i> Polly L. McNeill Summit Law Group 315 - 5th Avenue S., Ste. 1000 Seattle, WA 98104 206.676.7000 pollym@summitlaw.com	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email
17 18 19 20 <i>Commission:</i> Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. SW PO Box 47250 Olympia, WA 98504-7250 360.664.1160	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email
21 22 23 24 25 26 <i>Representative</i> Jonathan Thompson Asst. Attorney General 1400 S. Evergreen Park Dr. SW PO Box 40128 Olympia, WA 98504-0128 360.664.1186 jthompso@utc.wa.gov	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email

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<i>Respondent</i> Waste Management of Washington, Inc. d/b/a Waste Management of Sno-King Michael A. Weinstein 13225 NE 126 <sup>th</sup> Place Kirkland, WA 98034 425.814.7840 mweinstein@wm.com	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email
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DATED at Silverdale, Washington, this 19<sup>th</sup> day of January 2010.

  
Cheryl L. Sinclair