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Point Recycling and Refuse

P.M.B. 1542, 145 Tye Drive, Point Roberts, WA 98284

Business Phone (360) 945-1516

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ALL COUNCIL MEMBERS
WHATCOM COUNTY COUNCIL

May 23, 2008

Commission Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
POB 47250, Olympia WA 98504-7250

Dear Commission,

Point Recycling and Refuse Company (G-155) is submitting a filing to remove Curbside Recycling Collection from our Tariff.

I have been trying to shut down this program for eight years. This program has never been economically viable because the customer volume of only 340 customers (17% of households), no customer growth in eight years, only \$20,000 per year in revenue, and Whatcom County's refusal to enforce their own Universal Service Ordinance. I have repeatedly asked the County and Commission Staff to evaluate the cost feasibility and need of this program. Both the County and Staff have refused to perform their mandated planning and cost assessment requirements. There is no rational justification for this program. I have been set a task that was not possible and denied the support required to succeed.

On January 24th, 2008, our single 18 year old recycling truck suffered a catastrophic mechanical breakdown. We suspended the program and notified customers that they could bring in their recycling at no charge to our transfer station. We notified customers that if they had a complaint they could contact the WUTC and Whatcom County. To date, I am not aware of any customer complaints. I notified WUTC Staff and Whatcom County of the suspension. No persons from the County or Staff have even bothered to call me to discuss the situation or what should be done. I am faced with two government agencies that extensively control my business and bind me to service yet refuse to participate in the system or to fulfill their responsibilities. It was never my job to prove that this program was not viable, it is the County's and the WUTC's responsibility to ensure a practical, feasible and sustainable system design in the best interests of the consumers.

The WUTC is required to review the cost impacts on the County's Plan and Policies on the rate payers. This process has always been a rubberstamp for every plan the Commission has ever reviewed. Cost assessments are basically worthless for analysis due to broad generalization and lack of detail. I know of no case where the Commission Staff have actually calculated the impacts of a plan on a specific Hauler. In Point Roberts, it is obvious that the plan is impractical and unrealistic because it is written for the needs of urban Bellingham not this rural and isolated community. The Commission is intended to be a check against the whims of County politicians, to ensure that the consumer has a system which actually works to their benefit and is sustainable.

Currently I am in violation of the Whatcom County Service Level Ordinance and my WUTC Tariff. This issue must be resolved. Whatcom County is not willing and probably unable to perform their required planning and need assessment and Commission Staff have refused to perform their

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required cost assessment. The Company is unable to comply with the Service Level Ordinance. WUTC Staff have already demonstrated on other issues that they would prefer to destroy this system rather than participate in its success. Therefore, compliance with my Tariff is the utmost necessity.

I request that the Commission approve this filing because Whatcom County and the WUTC have both failed in their planning and cost assessment requirements of the Whatcom County Solid Waste Plan. Whatcom County's Solid Waste Plan is not valid for Point Roberts, and so the Service Level Ordinance is not valid. There have been no customer complaints regarding suspension of this program and no customer requests for the service to continue.

We have sent notice of our action to the Whatcom County Council and have mailed notice to our customers. The Point Roberts "All Point Bulletin" is a once-per-month paper which will have notice on May 30th. Effective Date for this Filing is July 7th 2008. Questions can be made to Arthur Wilkowski at 360-945-1516.

Sincerely,



Arthur Wilkowski
Owner/ Operator

Cc: Whatcom County Council, Executive, Public Works
Peter Christianson, Dept of Ecology