

TG-091431-AT



APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE TO OPERATE AS A SOLID WASTE COLLECTION COMPANY UNDER CHAPTER 81.77 RCW

1300 South Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250

PHONE 360-664-1222
FAX 360-586-1181
TTY 360-586-8203 TTY TOLL FREE 1-887-210-5963
WEBSITE: www.wutc.wa.gov

The UTC has a policy of providing equal access to its services. If you need special accommodations, please call 360-664-1133.

Table with 2 columns: Type of Solid Waste Authority Requested, Fee Required. Rows include Expedited Temporary Authority (\$25), Temporary Authority (\$25), New Permanent Authority (\$200), Permanent Authority to Transfer (\$200), Reinstatement of Cancelled Certificate (\$200), Name Change (\$35), Mortgage of Certificate (\$35), Lease of Authority (\$200).

SECTION 1 - APPLICATION INFORMATION

Name of Applicant: Ada-Lin Waste Systems, Inc. USDOT #: 1868663
Trade Name(s) (if applicable): Sunshine Disposal and Recycling
Phone Number: (509) 252-9060 Fax Number: (509) 252-9068 E-Mail: johnl@sunshinedisposal.com
Business Address: Street: 11320 W McFarlane Rd City: Airway Heights State/Zip: WA99001
Mailing address (if different from Business Address): Street: City: State/Zip:

FOR OFFICIAL USE ONLY
Date Filed: 9/14/09 Docket #: TG- Insurance Tariff: Related App ID: 227-02: 200.00 Permit Issued G- Map: 2009 SEP 032-05:
Staff Assigned: Reception #: 0019340
DOL/SOS

M-4701

**SECTION 2 – BUSINESS INFORMATION**

**Type of business structure:**

Individual  Partnership  Corporation  Other (LP, LLP, LLC) \_\_\_\_\_

UBI No. 601 045 883 *AT*

List the name, title, and percentage of partner's share or stock distribution for major stockholders:

<u>Name</u>	<u>Title</u>	<u>Stock Distribution or Percentage of Shares</u>
Marc Torre	President	70% <i>AT</i>
Adrienne Choate	Secretary/Treasurer	30%

Indicate below the commodity to be hauled and the territory in which you wish to operate. **PLEASE NOTE** Territory must be described using boundaries such as streets, avenues, roads, highways, townships, ranges, city limits, county boundaries or other geographic descriptions. In addition to describing the territory, you must file a map that meets the requirements of WAC 480-70-056 and clearly shows the described territory.

Solid Waste

State below the conditions that justify the granting of this application. If you are applying for temporary certificate authority, be sure your statement addresses and supports the question of "immediate and urgent need."

A purchase agreement between the two parties is in place with a proposed closing of October 1. The transition to a new hauler is easier for employees and customers if the date of transfer is known ahead of time. For example, setting up new customer accounts can only takeplace when the date of service is more certain.

What is your USDOT number: 1868663 (If you currently don't have one, you can go online and apply at [www.fmcsa.dot.gov/online-registration](http://www.fmcsa.dot.gov/online-registration) or contact (360)596-3816 or (360)596-3803 for assistance.)

Do you currently hold, or have you ever held, a solid waste certificate?

No  Yes If yes, please indicate your certificate number: G- 104

Have you ever applied for and been denied a certificate to transport solid waste?

No  Yes If yes, please explain: \_\_\_\_\_

Please tell us about your experience and knowledge of transportation or solid waste, including motor carrier driver and equipment safety requirements. \_\_\_\_\_

Applicant currently operates certificate G-104 in Adams and Lincoln counties and is affiliated with G-260 (Torre Refuse & recycling) and G-199 (Sunshine Disposal, Inc.). We are knowledgeable about all state, federal and local laws and practices as they related solid waste collection and the transportation industry.

Have you been cited for violation of state laws or Commission rules?

No  Yes

If yes, please explain \_\_\_\_\_

### SECTION 3 – RATES AND TARIFFS

Is this application to operate under a contract?

No     Yes If yes, submit the original or a duplicate original of each contract under which service will be performed. The contract must contain all the elements stated in WAC 480-70-146.

If this application is for temporary authority, a new certificate, or extension of existing certificated authority, you must attach two copies of your proposed tariff using either the standard tariff format included in this package, or an approved alternate format. All tariffs submitted must comply with the provisions of WAC 480-70-226 through WAC 480-70-351.

If this application is a transfer or a lease of authority from an existing certificate, you must either file a new tariff at the same rate levels as on file, or you must adopt the current certificate holder's tariff. To file a new tariff, use the standard tariff format attached to this application or an approved alternate format. Indicate which option you will use:

- Adopt *AD*  
 File a new tariff

*All attachment*

### SECTION 4 – FINANCIAL STATEMENT

You may attach a Balance Sheet, Profit and Loss Statement, or business plan if available.

ASSETS		LIABILITIES	
Cash in Bank	\$	Salaries/Wages Payable	\$
Notes Receivable	\$	Accounts Payable	\$
Accounts Receivable	\$	Notes Payable	\$
Investments	\$	Mortgages Payable	\$
Other Current Assets	\$	Contracts and Bonds Payable	\$
Prepaid Expenses	\$	<b>TOTAL LIABILITIES</b>	<b>\$</b>
Land and Buildings	\$	<b>NET WORTH</b>	
Trucks and Trailers	\$	Preferred Stock	\$
Office Furniture	\$	Common Stock	\$
Other Equipment	\$	Retained Earnings	\$
Other Assets	\$	Capital	\$
<b>TOTAL ASSETS</b>	<b>\$</b>	<b>TOTAL LIABILITIES AND NET WORTH</b>	<b>\$</b>

### SECTION 5 – EQUIPMENT LIST

Describe the equipment that will be used (attach additional sheets if necessary). Vehicles must pass inspection and be issued a valid Commercial Vehicle Safety Alliance inspection decal before your application may be granted.

Year	Make	License Number	Vehicle ID Number	Gross Vehicle Weight	Type of vehicle
1992	Peterbilt	A88745V	1XPZL79X2ND706215	60,000	RL
1992	Peterbilt	A34273U	1XPZL79X0ND706214	60,000	RL
1992	Peterbilt	A15197B	1XPZL79X5ND706211	60,000	RL

## SECTION 6 – SAFETY AND OPERATIONS

<p>In each of the categories show below, list the person and position responsible for understanding and complying with the Federal Motor Carrier Safety Regulations (FMCSR) and Washington State laws and rules. Please refer to the WAC rules, Fact Sheets, and publication "Your Guide to Achieving a Satisfactory Safety Rating" for assistance with requirements that may apply to your specific operations.</p>	
<b>SAFETY RESPONSIBILITIES</b>	
<p><b>COMMERCIAL DRIVERS LICENSE (CDL) REQUIREMENTS (Title 49, Code of Federal Regulations Part 383)</b> Any driver who operates a vehicle that meets the definition of a commercial motor vehicle must have a valid CDL.</p>	
Name: Marc Torre	Position: President
<p><b>DRIVER QUALIFICATION REQUIREMENTS (Title 49, Code of Federal Regulations Part 391)</b> Driver's must meet minimum qualification requirements and each company must maintain driver qualification files for each driver.</p>	
Name: Marc Torre	Position: President
<p><b>DRIVERS HOURS OF SERVICE (Title 49, Code of Federal Regulations Part 395)</b> Drivers must maintain logs and each company must maintain true and accurate hours of service records for each driver.</p>	
Name: Marc Torre	Position: President
<p><b>CONTROLLED SUBSTANCES AND ALCOHOL TESTING (Part 382)</b> All persons who drive commercial vehicles requiring a CDL must be in a Controlled Substance and Alcohol Testing program that complies with the FMCSR in 49 CFR Part 382 and 49 CFR Part 40.</p>	
<p>Each company will have in place a system for complying with FMCSR governing alcohol and controlled substances testing requirements (49 CFR Part 382 and 49 CFR Part 40).</p>	
Name: Marc Torre	Position: President
<p><b>INSPECTION, REPAIR AND MAINTENANCE (Title 49, Code of Federal Regulations Part 396)</b> Every motor carrier shall systematically inspect, repair, and maintain all motor vehicles subject to its control.</p>	
Name: Marc Torre	Position: President
<b>OPERATIONAL RESPONSIBILITIES</b>	
<p>List the person and/or position responsible for understanding and complying with the requirements of each category shown below.</p>	
<p><b>TARIFF RATES AND CHARGES (WAC 480-70-226 through WAC 480-70-351)</b> Companies must file with the Commission a tariff showing all rates and charges it will charge its customers, together with rules that govern how rates and charges will be assessed.</p>	
Name: John Lloyd	Position: Chief Financial Officer
<p><b>ANNUAL REPORTS and REGULATORY FEES (WAC 480-70-071 &amp; 076)</b> Companies must annually file a report of their financial operations and pay regulatory fees.</p>	
Name: John Lloyd	Position: Chief Financial Officer
<p><b>BIOMEDICAL WASTE (WAC 480-70-426 through 476)</b> Companies that transport biomedical waste must handle and transport that waste according to the appropriate requirements of the federal hazardous materials regulations (49 CFR Parts 170-189) and the additional requirements in these rules.</p>	
Name: N/A	Position:
<p><b>CUSTOMER SERVICE</b> –Person responsible for customer service complaints, customer notice requirements, and compliance with county solid waste plans.</p>	
Name: Marc Torre	Position: President
<p><b>STATE OF WASHINGTON – general laws, rules and regulations:</b> Individuals and companies doing business in the state of Washington must comply with the regulations of local, state, and federal agencies. Please state the name and position of the person in your organization who will be responsible for ensuring compliance with the laws of the state of Washington, such as, <u>but not limited to:</u> Department of Labor and Industries (industrial insurance, safety, prevailing wage); Department of Licensing (vehicle and drivers licenses, business licensing, Unified Business Identifier (UBI number), fuel permits, fuel tax); Secretary of State (corporate registrations); Department of Transportation (over-size or over-weight permits); Department of Revenue and Internal Revenue Service (taxes); and Employment Security.</p>	
Name: Marc Torre	Position: President

**SECTION 7 - HEARING INFORMATION**

If the Commission assigns this application for formal hearing, estimate the number of witnesses you will present and the amount of time you will need for your presentation.	
Number of witnesses: 1	Amount of time: 1 hr
Will an attorney be representing you? If yes, complete the following: No	
Attorney's name:	Attorney's phone number:
Attorney's address:	Fax Number:
Street	E-mail:
City, State, Zip	

**TYPE OF PAYMENT:**

<input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> AMEX <input type="checkbox"/> Discover <input type="checkbox"/> MasterCard <input checked="" type="checkbox"/> Visa
Credit Card Information:
Expiration Date: _____

**SECTION 8 - DECLARATION OF APPLICANT**

I understand that filing this application does not in itself constitute authority to operate as a solid waste collection company.

As the applicant for a solid waste collection company certificate, I understand the responsibilities of a solid waste collection company, and I am in compliance with all local, state, and federal regulations governing business in the state of Washington.

I certify under penalty of perjury under the laws of the State of Washington that the information contained in this application is true and correct.

I certify that I am authorized to execute and file this document.

Printed name of applicant: Marc B Torre

Signature of Applicant: \_\_\_\_\_

Date, County, State: 9-2-09 Spokane County WA

**ATTACHMENT B**

**JOINT APPLICATION FOR TRANSFER OR LEASE OF CERTIFICATED AUTHORITY**

This attachment must be completed when filing a joint application for permission to transfer or lease rights under Certificate of Public Convenience and Necessity.

Certificate Number G- 171 \_\_\_\_\_

Check appropriate box:

- Transfer All\*       Transfer Portion\*       Lease All\*\*       Lease Portion\*\*

Eric K. Zachary C., and Keith C. Hoff  
Current Name on Certificate (Seller/Lessor)  
Newman Lake Garbage Service  
Current Trade Name on Certificate (Seller/Lessor)  
PO Box 395 Newman Lake, WA 99025      509-928-8644  
Address (Seller/Lessor)      Phone Number

Fax: 509-928-8644      E-mail: erich@allspotracing.com

- Have all fines and /or penalties been paid?       No       Yes  
Has the closing annual report been filed?       No       Yes  
Does the buyer/lessee agree to begin service as soon as the Commission authorizes the transfer or lease?  
 Yes  
 No, if not, then when? \_\_\_\_\_

If the commission assigns this application for formal hearing, does both the seller/lessor and the buyer/lessee agree to be present at the hearing?  
 Yes  
 No

Both the seller/lessor and the buyer/lessee certify that this application is not made for the purpose of hindering, delaying or defrauding creditors.

This application must include a map and copy of the certificated authority to be transferred/leased. If applying for permission to transfer or lease a portion of the certificated authority, then the application must include a map and description of both the portion to be transferred/leased and the portion to be retained by the existing certificate holder.

We, as applicants, hereby jointly declare and affirm that all information is true to the best of our knowledge.

  
Seller's/Lessor's Signature

9-2-09  
Date, County, State

  
Buyer's/Lessee's Signature

9-2-09  
Date, County, State

\*If this application is for transfer, please attach a copy of the sales or other agreement to sell.  
\*\*If this application is to lease, please attach a copy of the executed lease agreement.

Schedule 2A – Comparative Balance Sheet – Total Company

**Instructions:** Complete this Balance Sheet in accordance with the beginning and end-of-year ledger figures as reflected in company books of account.

Line No.	Account Names (a)	Balance at Beginning of Year (b)	Balance at End of Year (c)
<b>Current Assets:</b>			
1	Cash and Working Funds	112,891	147,090
2	Special Deposits		
3	Temporary Cash Investments		
4	Notes Receivable		
5	Receivables from Affiliated Companies		(11,897)
6	Accounts Receivable	40,872	57,368
7	Less: Allowance for Uncollectables		
8	Net Accounts Receivable	40,872	57,368
9	Prepayments	5,959	5,632
10	Materials and Supplies		-
11	Other Current Assets	52	-
12	Total Current Assets	<u>159,774</u>	<u>198,193</u>
<b>Tangible Property:</b>			
13	Solid Waste Operating Property (Sched. 2C, Line 12)	236,901	256,161
14	Less: Accumulated Depreciation (Sched. 2C, Line 22)	(211,663)	(233,414)
15	Net Solid Waste Operating Property	25,238	22,747
16	Non-Operating Property		
17	Less: Accumulated Depreciation		
18	Net Non-operating Property		
19	Total Net Tangible Property	<u>25,238</u>	<u>22,747</u>
<b>Intangible Property:</b>			
20	Organization, Franchises, and Permits	18,000	18,000
21	Accumulated Amortization – Credit		
22	Other Intangible Property		
23	Accumulated Amortization – Credit		
24	Total Net Intangible Property	<u>18,000</u>	<u>18,000</u>
<b>Other Assets and Deferred Items:</b>			
25	Investment and Advances	10	10
26	Undistributed Earnings from Subsidiaries		
27	Deferred Debits		
28	Other Assets		
29	Total Other Assets and Deferred Items	<u>10</u>	<u>10</u>
30	<b>Total Assets (Lines 12, 19, 24 and 29)</b>	<u>203,022</u>	<u>238,950</u>

ERIC K., ZACHARY C., AND KEITH C. HOLT  
D/B/A NEWMAN LAKE GARBAGE SERVICE  
17809 E. APPLEWAY  
SPOKANE VALLEY, WA 99016

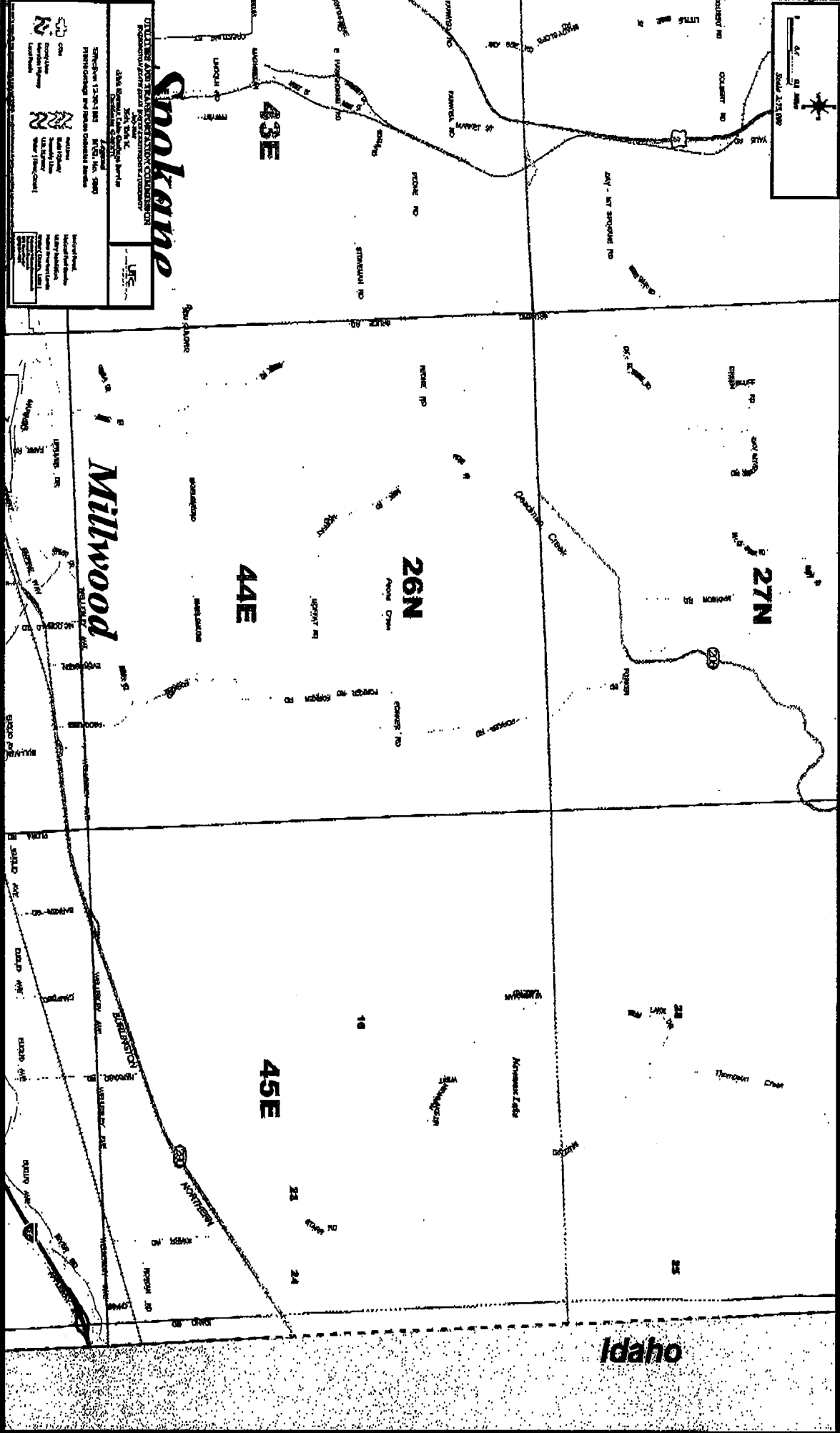
Cert. No.  
G-171

GARBAGE COLLECTION SERVICE in that portion of Spokane County described as follows: Starting at the point where the south line of Section 24, T. 26 N., R. 45 E. extended, intersects the Washington-Idaho State line; thence west on said line to the S.W. corner of Section 23, T. 26 N., R. 45 E.; thence north on the west line of said section projected to the S.E. corner of Section 15, T. 26 N., R. 45 E.; thence west on the south line of said section projected to the S.W. corner of Section 16, T. 26 N., R. 45 E.; thence north on the west line of said section projected to the N.W. corner of Section 28, T. 27 N., R. 45 E.; thence east on the north line of said section projected to the Washington-Idaho State line; thence south on said line to its intersection with the south line of Section 24, T. 26 N., R. 45 E. extended, the place of beginning.

TG-051203

10-24-05





**Smoke**

UNITED STATES DEPARTMENT OF AGRICULTURE  
 FOREST SERVICE  
 NATIONAL FIRE PLAN  
 FIRE PREVENTION AND CONTROL DIVISION  
 WASHINGTON, D. C.

Scale: 1:25,000  
 Vertical Datum: Mean Sea Level  
 Horizontal Datum: NAD 83

Map Symbols:  
 Contour Interval: 20 Feet  
 Contour Elevation: 1000 Feet  
 Contour Interval: 20 Feet  
 Contour Elevation: 1000 Feet

**Millwood**

**Idaho**

## TARIFF ADOPTION NOTICE

Tariff No. 5

Ada-Lin Waste Systems, Inc.

(Name of new company)

Sunshine Disposal & Recycling

(Trade name of new company)

adopt all tariffs and supplements to the tariffs,  
filed with the Washington Utilities and Transportation by:

Erik K., Zachary C. & Keith C. Holt d/b/a Newman Lake Garbage

(Name of prior company)

before the date of its (new company) acquired possession  
of that (prior) company, or a portion of the authority  
of that (prior) company.

Notice issued by:

Name: John Lloyd

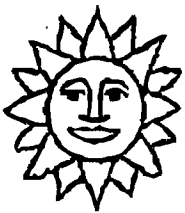
Title: Chief Financial Officer

Telephone Number: 509-252-9060

Fax Number: 509-252-9068

E-Mail Address: johnl@sunshinedisposal.com

Date filed with Commission: \_\_\_\_\_



# Sunshine Disposal & Recycling

September 2, 2009

David Danner, Executive Director and Secretary  
Washington Utilities and Transportation Commission  
PO Box 47250  
Olympia, WA 98504-4720

RECEIVED  
RECORDS MANAGEMENT  
2009 SEP -2 PM 2:  
STATE OF WASH.  
UTIL. AND TRANSP.  
COMMISSION

Dear Mr. Danner:

Enclosed please find a joint application to transfer all authority contained in G-171 for Eric K., Zachary C., and Keith C. Holt d/b/a Newman Lake Garbage into certificate G-104 for Ada-Lin Waste Systems, Inc. d/b/a Sunshine Disposal & Recycling.

In addition to the permanent joint application, we have also enclosed an application for temporary authority pending the outcome of the application for permanent transfer. We request temporary authority to take effect October 1, 2009.

If you have any questions or require further information, please contact me at 509-252-9060 or via fax at 509-252-9068 or via e-mail at [marct@sunshinedisposal.com](mailto:marct@sunshinedisposal.com)

Very Truly Yours

Marc Torre  
President