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October 28, 2004

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via e-mail (records@wutc.wa.gov) and first class mail

Ms. Carole Washburn
Executive Secretary
Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Dr. S.W.
P.O. Box 47250
Olympia, WA 98504-7250

**Re: *In re Joint Applications GA-79141, GA-79142,
GA-79159 - Docket Nos. TG-030433,
TG-030434 and TG-030590***

Dear Ms. Washburn:

Please consider this letter as being a response on behalf of the Washington Refuse and Recycling Association pursuant to the Notice issued by the Commission October 27, 2004. WRRRA is not a party to this proceeding, but intends to seek intervention at the prehearing conference.

Rabanco, Ltd.'s answer correctly points out that this very issue is before Division I of the Washington Court of Appeals, and apparently is being heard on an expedited schedule. It would seem counterproductive for the Commission to even consider this petition until that appeal is decided.

Secondly, the answer raises the very relevant issue of standing. The application which resulted in the consolidated certificates was properly docketed, and was not protested. The time for protest has long since passed. It appears that King County is trying to do now what it should have done when the application was docketed. Whether or not the County could have qualified for party status at that time is immaterial. It did not even try.

As the Commission is aware, the "mapping project" affected every certificated hauler in the state, and Rabanco was far from the only company to have multiple certificates consolidated into one. There were sound reasons for doing it then, and those reasons are no less sound today. WRRRA urges the Commission to reject this petition outright

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for lack of standing or, in the alternative, to wait until the appellate process is complete before taking any action.

Very truly yours,

RYAN SELLS  INTEGRRAFT, INC. P.S.

JAMES K. SELLS

JKS:cs

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the foregoing letter was served by facsimile and first class mail, postage prepaid, on:

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I swear under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

DATED this 29th day of October 2004 at Silverdale, Kitsap County, Washington.


