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BEFORE THE WASHINGTON STATE UTILITIES
AND TRANSPORTATION COMMISSION

In re the Application of,
DTG Enterprises Inc. d/b/a DTG Recycle
22745 29th Dr SE
Bothell, WA 98021

TG-240583
PROTEST OF BAINBRIDGE DISPOSAL,
INC. TO SOLID WASTE CERTIFICATE
APPLICATION

COMES NOW, BAINBRIDGE DISPOSAL, INC., (“Bainbridge Disposal” or
“Protestant”), holder of Certificate No. G-143, and through its counsel, David W. Wiley and
Michael S. Howard of Williams, Kastner & Gibbs PLLC, 601 Union Street, Suite 4100,
Seattle, Washington, 98101, (206) 628-6652, and pursuant to WAC 480-70-106(2) protests the
above-entitled solid waste certificate application.

On August 5, 2024, DTG Enterprises Inc. d/b/a DTG Recycle (DTG) filed an
application for solid waste authority in the present docket with the Washington Utilities and
Transportation Commission (Commission).

On August 27, 2024, DTG filed an updated application (Amended Application). DTG
seeks authority for “curbside collection for electronic waste (E-Waste) in our existing service
areas and ultimately expanding state-wide.” DTG requests a G-Certificate “to perform curbside
collection and hauling of E-Waste in our existing service areas and ultimately expanding state-
wide.”

1 DTG does not define “E-Waste” in its Amended Application or cite to a definition of
2 this term in either statute or rule. DTG filed a proposed tariff, however, that includes a wide
3 variety of common items in its curbside “E-Waste” collection service, including bicycles,
4 medical equipment, motorbikes, power tools, scrap metal, tractors, vacuums, and water heaters.

5 DTG attaches a Service Area map, which shows red and black polygons over various
6 locations in the state, including Seattle, Tacoma, Olympia, Everett, Wenatchee, Yakima,
7 Richland, Walla Walla, Bremerton, and other areas of Kitsap County. DTG does not provide
8 any more precise descriptions of its proposed geographic service area. DTG also does not
9 provide a metes-and-bounds description of its territory as required by WAC 480-70-091.

10 This protest is submitted on the following grounds:

11 I.

12 Bainbridge Disposal is the holder and operator of Solid Waste Certificate Nos. G-143,
13 attached as Exhibit A. As said exhibit indicates, Bainbridge Disposal currently holds authority
14 in Bainbridge Island and Poulsbo, Washington, located in Kitsap County, in conflict with and
15 which overlaps the applied-for solid waste authority as noted above.

16 II.

17 Bainbridge Disposal alleges that it has a direct, cognizable interest in this proceeding
18 adverse to this application. Bainbridge Disposal holds a G-certificate for solid waste collection
19 services in DTG’s proposed service territory.

20 III.

21 Bainbridge Disposal is ready, willing and able to provide all of the solid waste collection
22 and transportation services to the generating public sought by DTG. Bainbridge Disposal has
23 made substantial investments in serving its solid waste collection customers in its service territory.

1 IV.

2 Bainbridge Disposal alleges that DTG cannot establish its fitness to conduct operations or
3 its past compliance with Washington law and rule. DTG and its predecessors in interest have a
4 history of violating Commission rules, as DTG admits in the Amended Application. DTG fails to
5 even provide supporting documents with its application as required by both RCW 81.77.040 and
6 WAC 480-70-091.

7 V.

8 Bainbridge Disposal further alleges that DTG cannot establish that the public convenience
9 and necessity require its proposed service or that its proposed service is consistent with the public
10 interest. DTG's very use of the term "E-Waste" to describe its proposed service is both inaccurate
11 and misleading for the public and creates the real possibility of enforcement issues in the future.

12 Bainbridge Disposal will appear at any hearing on this matter and will present evidence
13 through approximately one witness and estimates a total hearing time of 30 minutes.

14 WHEREFORE, Bainbridge Disposal, Inc., Protestant herein, requests that its right to
15 participate in the entirety of Application TG-240583 be fully affirmed, is currently unaware of any
16 restrictive amendment which would or could satisfy its interest herein, and therefore asks that
17 Application No. TG-240583 of DTG Enterprises Inc. d/b/a DTG Recycle be denied in its entirety.

18 DATED this 25th day of September, 2024.
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/s/ Michael S. Howard
Michael S. Howard, WSBA #41034
David W. Wiley, WSBA #8614
Attorneys for Protestant
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Fax: (206) 628-6611
Email: mhoward@williamskastner.com

EXHIBIT A

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

1300 S EVERGREEN PARK DRIVE SW, PO BOX 47250

OLYMPIA, WA 98504-7250

(360) 664-1222

This certificate authorizes the following operations under the provisions of RCW Title 81:

BAINBRIDGE DISPOSAL, INC.
PO BOX 10699
BAINBRIDGE ISLAND, WA 98110

Cert No.
G-143

GARBAGE AND REFUSE COLLECTION SERVICE on Bainbridge Island in Kitsap County.

04-30-84

WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION



By _____

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

For the Operation of Motor Propelled Vehicles

pursuant to the provisions of Chapter 81 RCW

THIS IS TO CERTIFY that authority is granted to operate as a MOTOR CARRIER in the transportation of the commodities and in the territory described herein to

Bainbridge Disposal, Inc.
P. O. Box 10386
Winslow, WA 98110

CERT. NO.
G-143

D-1

GARBAGE AND REFUSE COLLECTION
Bainbridge Island in Kitsap County.

SERVICE on

M. V. G. No. 1169

4-30-84



WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

By Thomas Tischer