

Waste Management of Washington, Inc.

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STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

November 4, 2003

Carole J. Washburn, Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, Washington 98504-7250

Re: Settlement of *Murrey's Disposal Company v. Waste Management of Washington, Inc.* (TG-030673)

Dear Secretary Washburn:

Pursuant to an understanding between Waste Management of Washington, Inc. (WM) and Murrey's Disposal Company (Murrey's), and following consultation with the other participating parties, this letter is to inform you that we have reached agreement to resolve the underlying dispute in *Murrey's Disposal Company v. Waste Management of Washington, Inc.* That agreement involves the voluntary relinquishment by WM of the portion of territory contained in Certificate No. G-237 that was the subject of the private-party complaint action.

The territory being relinquished is within Murrey's service area, and WM and Murrey's have agreed to work together to implement a transition in a coordinated fashion in order to minimize disruption to customers. Following appropriate notice to WM's customers that it will be discontinuing service, Murrey's will immediately be available to assume solid waste collection for all affected customers. The notice will include all pertinent information for customers to contact Murrey's and make it as easy as possible for them to make the transition from Waste Management. There are approximately 40-50 commercial customers who will be affected by this.

By relinquishing the subject territory, all issues related to the underlying complaint are essentially put to rest. Murrey's had alleged that WM abandoned its rights to service in the overlapping territory, and therefore removing it from WM's certificate fully resolves the private parties' dispute. The parties believe that this means of addressing the matters raised in the complaint is fully consistent with the public interests in that it eliminates the costs and expense of pursuing litigation, as well as the continued uncertainties to both the regulated companies and their customers in the area.

Carole J. Washburn, Secretary
November 4, 2003
Page 2

We ask that the Commission therefore approve entry of an order removing the territory from Certificate No. G-237, approve cancellation of service by WM to the affected customers following appropriate notice, and allow dismissal of the complaint action. The territory to be relinquished is as follows:

SOLID WASTE COLLECTION SERVICE in Clallam County EXCLUDING the following described territory: Starting at the intersection of the south line of T. 30 N., R. 15 W., and the shore line of the Pacific Ocean, thence northerly along said shore line to Cape Flattery, thence easterly along the shore line of the Strait of Juan de Fuca to the east line of T. 31 N., R. 10 W., thence south on said line projected to the south line of said township, thence west to the south line of said township projected to the east line of T. 30 N., R. 15 W., thence south on said line projected to the south line of said township, thence west on the south line of said township projected to the shore line of the Pacific Ocean, the place of beginning.

RUBBISH COLLECTION SERVICE not requiring the use of a dump truck in those portions of Jefferson and Clallam Counties currently contained in Certificate G-237.

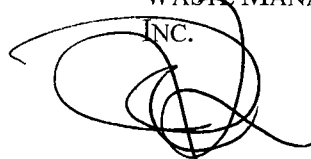
By signing this letter, I hereby certify under penalty of perjury under the laws of the State of Washington that the information contained herein is true and correct, and that I am authorized to execute and submit this letter.

If you have any questions, please contact WM's counsel, Polly McNeill of Summit Law Group at: ph. 206-676-7040, fax 206-676-7041, 315 Fifth Avenue South, Suite 1000, Seattle, Washington, 98104,

Thank you for your attention to this matter.

Sincerely,

WASTE MANAGEMENT OF WASHINGTON,
INC.

A handwritten signature in black ink, appearing to read 'James W. DeSoer', is written over the company name 'WASTE MANAGEMENT OF WASHINGTON, INC.'.

James W. DeSoer
Vice President