

Law Offices of
RYAN SELLS UPTEGRAFT, INC. P.S.

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JAMES E. RYAN
JAMES K. SELLS
DARRELL D. UPTEGRAFT, JR.
ANNE M. MONTGOMERY

CHERYL K. RIFE
MARY SPAUN

January 21, 2008

GORDON L. WALGREN, Of Counsel

Ms. Carole Washburn
Executive Secretary
Washington Utilities and
Transportation Commission
P. O. Box 47250
Olympia, WA 98504-7250

RECEIVED
PROPERTY MANAGEMENT
2008 JAN 23 AM 9:39
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

Re: No. TG-080047-CT
Application of BJS Hauling, LLC

Dear Ms. Washburn:

Enclosed you will find an original and 12 copies of Protest of Washington Refuse and Recycling Association.

Very truly yours,

RYAN SELLS UPTEGRAFT, INC. P.S.



Cheryl L. Sinclair
Secretary to
JAMES K. SELLS

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ORIGINAL

STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

2008 JAN 23 AM 9:39

RECEIVED
RECORDS MANAGEMENT

BEFORE THE WASHINGTON UTILITIES
AND TRANSPORTATION COMMISSION

<p>In re Application of BJS HAULING, LLC</p> <p>Certificate Authority to Collect and Transport Solid Waste</p>	<p>Case No.: TG-080047-CT</p> <p>PROTEST OF WASHINGTON REFUSE AND RECYCLING ASSOCIATION</p>
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COMES NOW the Washington Refuse and Recycling Association (WRRRA), c/o JAMES K. SELLS, 9657 Levin Rd. NW, Suite 240, Silverdale, Washington 98383, and protests the above-referenced application in which the following authority is sought:

Mixed waste, yard waste, paper and metal recyclables in Snohomish, King, Pierce and Thurston Counties and all cities within these Counties.

In doing so, Protestant alleges and prays as follows:

1. WRRRA is a non-profit Washington corporation organized under and existing by virtue of the laws of the State of Washington. The membership of WRRRA consists of holders of Washington Utilities and Transportation Commission certificates to collect and haul solid waste in the State of Washington. WRRRA is a trade association within the meaning of the laws of the State of Washington and the rules and regulations of the Washington Utilities and Transportation Commission, and a "person" as defined by WAC 480.07.340(1)(a) and WAC 480.70.041.

Protest of Washington Refuse and Recycling Association - 1

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Ryan Sells Uptegraft, Inc. P.S.
9657 Levin Road N.W., Suite 240
Silverdale, WA 98383
360-307-8860 Fax 360-307-8865

1 2. This protest is filed on behalf of WRRRA, its members at large and
2 on behalf of that member or those members who hold authority to collect and
3 transport solid waste within the territory specified in the above-referenced
4 application, including, but not necessarily limited to, Harold LeMay
5 Enterprises, Rabanco, Ltd./Allied, Rubatino Refuse Removal, Sound Disposal,
6 and American Disposal/Waste Connections.

7 3. Protestant alleges there is no public need for the proposed service
8 beyond what can be met by the existing certificate holders. Applicant is
9 neither fit nor able to provide the proposed service; and the granting of this
10 application would be contrary to the laws of the State of Washington and the
11 regulations of the Washington Utilities and Transportation Commission.

12 **WHEREFORE**, Protestant prays the Application be dismissed or, in the
13 alternative, be set for hearing, at which hearing Protestant would call four to
14 five witnesses whose combined testimony would take two to three hours.

15 DATED this 21 day of January 2008.



16 _____
17 JAMES K. SELLS
18 WSBA No. 6040
19 Ryan Sells Uptegraft, Inc. P.S.
20 9657 Levin Rd. NW, Suite 240
21 Silverdale, WA 98383
22 Attorneys for Washington Refuse
23 and Recycling Association
24
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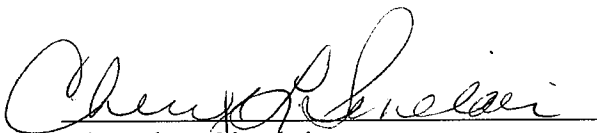
CERTIFICATE OF MAILING

I hereby declare that on the 27nd day of January 2008, I caused to be deposited in the U. S. Mail, first class postage prepaid, a true copy of the foregoing PROTEST OF WASHINGTON REFUSE AND RECYCLING ASSOCIATION addressed to:

Clifford Butler 31811 Pacific Hwy. Suite B-127 Federal Way, WA 98003	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email
<i>Commission:</i> Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. SW PO Box 47250 Olympia, WA 98504-7250 360.664.1160	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email
<i>Representative</i> Jonathan Thompson Asst. Attorney General 1400 S. Evergreen Park Dr. SW PO Box 40128 Olympia, WA 98504-0128 360.664.1186	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email

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

DATED this 27nd day of January 2008 at Silverdale, Kitsap County, Washington.


Cheryl L. Sinclair