

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
LESS THAN REQUIRED NOTICE REQUESTED BY:

Nichols, Robert L. dba: B & N Sanitary	601-324-140
Excess Disposal, Inc. dba: Excess Disposal Service	601-650-230
(Company Names)	(UBI Numbers)
Companies propose	B&N and Excess Disposal Service Agreement
	(Contract Title)

Indicate below, or attach, an explanation of the reason the companies are requesting permission to file the proposed provisions with less than required notice. Include the appropriate rule reference.

WAC 480-70-151 states that a company may enter into an agreement to allow another company to operate in its territory when the first company:

- (a) Holds exclusive traditional authority for solid waste collection service in the territory to be served; and
- (b) Lacks suitable equipment to adequately serve its customers, or is unable to provide service on a temporary basis due to situations such as, but not limited to, road closures, temporary weight limitations, or other temporary restrictions imposed by local jurisdictions.

The commission must approve the agreement before any service is provided. To apply for commission approval, the companies must jointly file a copy of the written agreement at least fifteen days before the proposed effective date of the agreement.

Companies may request the fifteen-day approval period be waived in the case of an emergency.

The agreement filed was filed with the requirements specified in WAC 480-70-151(3):

- B & N Sanitary will bill customers for service provided by the second company at rates and charges contained in their tariff.
- B & N will pay Excess Disposal Service \$110 per hour for providing service in this agreement.
- The effective date of the Agreement is April 29, 2011 and will continue until the sale of B & N Sanitary is completed along with required approvals from the commission. Agreement termination will be with a two week notice from either party and to the commission.

B & N requests the commission waive the fifteen-day approval period due to illness and equipment is inoperative.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ORDER

The Commissioners, having determined this order is consistent with the public interest, directed the Secretary to enter this order granting the provisions requested above.

DATED and signed at Olympia, Washington May, 2011
(Month and Year)

Executive Director and Secretary