BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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| In re Application of:  BOBBY WOLFORD TRUCKING AND SALVAGE, INC.  22014 W. Bostian Rd.  Woodinville, WA 98072 |  | APPLICATION NO. TG-152228  PROTEST OF RUBATINO REFUSE REMoval, INC. |

1. COMES NOW Rubatino Refuse Removal, Inc. (“Protestant”) holder of Certificate No. G‑58 (“Protestant” herein), by and through its attorneys, Polly L. McNeill and Sara A. Kelly, of Summit Law Group, and respectfully protests the application by Bobby Wolford Trucking and Salvage, Inc. (“Applicant”) for a certificate of public convenience and necessity to operate as a solid waste collection company requested in the above-numbered application for authority to transport:

Solid waste collection services for the limited purpose of utilizing its specialized end dump, side dump and belt trailers within the exclusive boundaries of Snohomish and King Counties.

I.

1. Protestant believes and therefore alleges that Applicant is not qualified to receive a grant of a solid waste certificate of public convenience and necessity; that Applicant is not fit, willing and able to properly perform the services proposed and unable to conform to the provisions of Ch. 81.77 RCW and the requirements, rules and regulations of this Commission thereunder.

II.

1. Protestant operates solid waste collection services including transportation of construction and demolition debris waste for collection and disposal (and recycling) throughout the State of Washington pursuant to a certificate of convenience and necessity issued by this Commission, or its predecessor. Said Certificate No. G-58 is attached hereto as Exhibit A. As is evidenced by this certificate, Protestant currently holds authority in conflict with the applied-for authority.
2. Protestant owns and operates motor vehicular equipment suitable for the transportation of such materials sought to be transported. Protestant employs personnel and drivers who are thoroughly experienced in the requested transportation. These services have been performed by Protestant to serve the shipping public throughout the State of Washington. The specialized service for which Applicant seeks authority is now and has been in the past rendered by Protestant, who is constantly expending substantial sums of money for the hiring, training and supervision of its personnel; and for the obtaining of the newest and most efficient motor vehicular equipment.
3. For the foregoing reasons, Protestant has an interest in this proceeding.

III.

1. Protestant is suitably and adequately equipped and otherwise qualified, ready, fit, willing and able to provide all the relevant transportation service required by the shipping public throughout the State of Washington to the satisfaction of the Commission. Protestant remains ready, willing and able to provide the services which its operating certificate authorizes for the shipping public throughout the State of Washington to the satisfaction of the Commission. It therefore alleges that the requested service is not warranted by the public convenience and necessity and is not in the public interest.

IV.

1. Protestant denies each and every material allegation and statement of fact contained in Application No. TG-152228 and requests that Applicant be required to submit strict proof in support thereof and to produce competent witnesses at a hearing for cross-examination on all material and relevant facts bearing on the protested application. Applicant has not and cannot demonstrate that it is fit, willing or able to provide the applied-for services to the satisfaction of the Commission. Applicant has not and cannot demonstrate that either existing certificate holders have failed to provide service to the satisfaction of the Commission or that there is an existing public need for the services sought.

V.

1. If an oral hearing is held, Protestant will appear and present evidence of its own operations and particular interests in the application. Protestant estimates that it will call 2 witnesses at the hearing, and that the hearing time for the testimony of the witness will be approximately 1.0 hours.

WHEREFORE, Protestant prays that it be afforded an opportunity to participate in the hearing on this application; and that the application thereafter be denied.

DATED this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2016.

Respectfully Submitted,

SUMMIT LAW GROUP, PLLC

Attorneys for Protestant

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Protest upon all parties of record in this proceeding, by the method as indicated below, pursuant to WAC 480-07-150.

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| Washington Utilities and Transportation Commission  1300 S. Evergreen Park Drive S.W.  Olympia, WA 98504-7250 | Via Legal Messenger  Via Facsimile  Via U.S. Mail  Via Email |
| Sally Brown  Assistant Attorney General  1400 S. Evergreen Park Drive S.W.  P.O. Box 40128  Olympia, WA 98504-0128 | Via Legal Messenger  Via Facsimile  Via U.S. Mail  Via Email |
| Bobby Wolford Trucking and Salvage, Inc.  22014 W. Bostian Rd.  Woodinville, WA 98072 | Via Legal Messenger  Via Facsimile  Via U.S. Mail  Via Email |

DATED at Seattle, Washington this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2016.

Denise Brandenstein, Legal Assistant