

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Carroll Naslund Disposal Service, Inc.  
dba Naslund Disposal Service, Certificate G-  
000037

DOCKET

PETITION TO REINSTATE PORTION OF  
SOLID WASTE CERTIFICATE

**I. INTRODUCTION**

1 Pursuant to WAC 480-70-141(5)(a)(ii), Naslund Disposal Service (“Naslund” or “Petitioner”) holder of Certificate G-037, PO Box 418, Lewiston, Idaho 83501-0418, by and through its counsel Williams Kastner and David W. Wiley, submits this Petition and accompanying Declaration asking that the Washington Utilities and Transportation Commission (“WUTC”) or “Commission”) now act to reinstate the portion of Certificate G-037 canceled when the City of Pomeroy, Washington previously opted out of regulation of solid waste collection operations within its municipal boundaries by the WUTC under RCW 81.77.020.

**II. RELIEF REQUESTED**

2 Petitioner, as noted above, here seeks reinstatement of the portion of G Certificate No 37 within the city of Pomeroy canceled by its prior action in opting out of solid waste collection company regulation by the Commission.

**III. RULES AND STATUTES AT ISSUE**

3 RCW 81.77.020, RCW 81.77.0201 and WAC 480-0-141.

**IV. STATEMENT OF FACTS**

4 Previously, the city of Pomeroy, Washington assumed jurisdiction of solid waste collection and transportation operations and entered into a contract for such services with Naslund. Naslund has thus performed all solid waste collection and transportation services within Pomeroy

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CERTIFICATE - 1

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municipal city limits to its residential and commercial customers since that time. Additionally, Naslund did not receive any compensation or measurable damages when the City opted out of the WUTC regulatory scheme which effectively canceled that portion of its certificate authority to serve Pomeroy.

## **V. STATEMENT OF ISSUES**

5 Should the Commission now act to reinstate/restore the portion of certificate G-37 which was canceled when Pomeroy, pursuant to RCW 81.77.020, entered into a contract with Naslund to perform solid waste collection services?

## **VI. EVIDENCE RELIED UPON**

6 Naslund relies upon the Declaration of the Honorable Jack Peasley, current Mayor of Pomeroy, Washington in support of this Petition.

## **VII. ARGUMENT IN SUPPORT OF PETITION**

7 As evidenced in the above-referenced Declaration of the Mayor of Pomeroy incorporated herein by this reference, the City now intends to reverse its previous decision and revert to the Commission's jurisdiction for regulation of solid waste collection services within its municipal borders as authorized by RCW 81.77.0201 and WAC 480-70-241(5). In so doing, it acknowledges the previous portion of G-37 covering Pomeroy was not purchased or condemned by the City and thus, consistent with WAC 480-70-141(5)(a), the previously canceled authority applicable to Pomeroy should be reinstated to Naslund.

**VIII. PRAYER FOR RELIEF/CONCLUSION**

8 Therefore, having briefly set forth the statutory and regulatory grounds for petitioning the Commission for reinstatement and the facts supporting the request, Petitioner asks that the Commission grant the instant Petition consistent with the public interest and reinstate the former portion of Certificate G-37 that was previously canceled under RCW 81.77.020 by virtue of the City’s prior decision to provide solid waste collection services by contract. Petitioner further requests that Certificate G-37 now be acknowledged by the Commission to include the City of Pomeroy, restoring its property right to serve the City under full Commission regulation as a regulated solid waste collection company pursuant to Title 81.77 RCW.

DATED this 6<sup>th</sup> day of June, 2024.

*s/ David W. Wiley*  
*s/ Christopher Luhrs*  
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