

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Basin Disposal, Inc. Certificate G-118,
Petitioner,

PETITION TO REINSTATE PORTION OF
SOLID WASTE CERTIFICATE

I. INTRODUCTION

Pursuant to WAC 480-70-141(5)(a)(ii), Basin Disposal, Inc. (“Basin” or “BDI” or “Petitioner”) holder of Certificate G-118, PO Box 3850, Pasco, Washington by and through its counsel Williams Kastner and David W. Wiley, and 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-118 canceled when the City of Mesa, Washington previously opted out of regulation of solid waste operations within its municipal boundaries by the WUTC under RCW 81.77.020.

II. RELIEF REQUESTED

Petitioner, as noted above, here seeks reinstatement of the portion of G Certificate No. 118 canceled by the previous opting out of solid waste collection company regulation by the City of Mesa.

III. RULES AND STATUTES AT ISSUE

RCW 81.77.020, RCW 81.77.0201 and WAC 480-70-141.

IV. STATEMENT OF FACTS

Previously, the City of Mesa, Washington assumed jurisdiction of solid waste operations and entered a contract for services with BDI. BDI has thus performed all solid waste collection and transportation services within Mesa municipal city limits to its residential and commercial customers since that time. Additionally, BDI did

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not receive any compensation or measurable damages when the City opted out of the WUTC regulatory scheme which canceled that portion of its certificate authority to serve Mesa.

V. STATEMENT OF ISSUES

Should the Commission now act to reinstate the portion of certificate G-118 which was canceled when Mesa, pursuant to RCW 81.77.020, entered a contract with BDI to perform solid waste collection services?

VI. EVIDENCE RELIED UPON

BDI relies upon the Declaration of the Honorable Jim Cronenwett, current Mayor of Mesa, Washington in support of this Petition.

VII. ARGUMENT IN SUPPORT OF PETITION

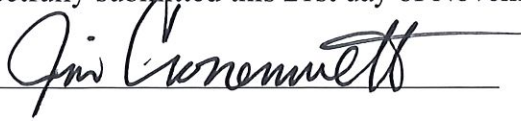
As evidenced in the above-referenced Declaration of the Mayor of Mesa incorporated herein by this reference, the City now intends to reverse that previous decision and revert to the Commission's jurisdiction for regulation of solid waste collection services within its municipal borders as authorized by RCW 81.77.0201 and WAC 480-70-241(5). In so doing, it acknowledges the previous portion of G-118 covering Mesa was not purchased or condemned by the City and thus, consistent with WAC 480-70-141(5)(a), the previously canceled authority applicable to Mesa should be reinstated to BDI.

VIII. PRAYER FOR RELIEF/CONCLUSION

Therefore, having briefly set forth the statutory and regulatory grounds for petitioning the Commission for reinstatement and the facts supporting the request, Basin asks that the Commission grant the instant Petition consistent with the public interest and reinstate the former portion of Certificate G-118 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-118 now be acknowledged by the Commission to

include the City of Mesa, restoring its property right to serve Mesa under full Commission regulation as a solid waste collection company pursuant to Title 81.77 RCW.

Respectfully submitted this 21st day of November 2024.

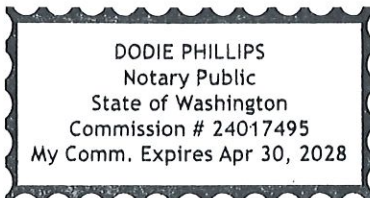


Jim Cronenwett, Mayor

Attest



Dodie Phillips, Clerk/Treasurer



s/ David W. Wiley

David W. Wiley, WSBA #08614

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