

TG-050239

Law Offices of

RYAN SELLS UPTEGRAFT, INC. P.S.

9657 Levin Road N.W., Suite 240, Silverdale, WA 98383
Phone (360) 307-8860 • Fax (360) 307-8865 • Toll Free 1-800-481-8861
E-mail: cheryls@rsulaw.com Website: rsulaw.com

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

March 10, 2005

TODD A. BUSKIRK
EMILY M. BUTCHER
PATRICIA M. STUART
GORDON L. WALGREN
Of Counsel

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

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OFFICE OF THE
SECRETARY

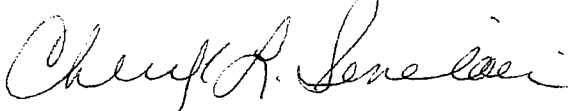
**Re: Application of DB Hauling, LLC
No. GA-079358**

Dear Ms. Washburn:

Enclosed for filing you will find an original and three 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

encs.

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STATE OF WASHINGTON
UTIL. AND TRANSP.
COMMISSION

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In re Application of DB HAULING, LLC
for authority to transfer all rights
under Certificate No. G-198, standing
in the name of Haney Truck Line, Inc.
to DB Hauling, LLC

Case No.:No. GA079358

PROTEST OF WASHINGTON
REFUSE AND RECYCLING
ASSOCIATION

COMES now Protestant, 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:

Authority to transfer all rights under Certificate No. G-198,
standing in the name of Haney Truck Line, Inc. to DB Hauling,
LLC.

In doing so, Protestant alleges and prays as follows:

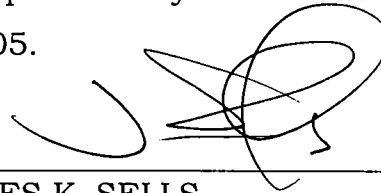
1. WRRRA is a non-profit Washington corporation organized under
and existing by virtue of the laws of the State of Washington. The
membership of WRRRA consists of holders of Washington Utilities and
Transportation Commission certificates to collect and haul solid waste in the
State of Washington. WRRRA 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 and WAC 480.70.041.

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.

5 3. There is no evidence that DB Hauling, LLC is fit and/or able to
6 perform this contract and, therefore, Protestant alleges that it is not. Thus,
7 granting of the application would not be in the public interest. The
8 application is incomplete, as it does not contain a copy of the subject contract
9 as required by law; nor does the "Bill of Sale" attached to the application state
10 the sale price or any other details of the sale of the certificate. The granting of
11 this application, thus, would be contrary to the laws of the State of
12 Washington and the regulations of the Washington Utilities and
13 Transportation Commission.

14 **WHEREFORE**, Protestant prays the application be dismissed or in the
15 alternative set for hearing, at which hearing Protestant would call three
16 witnesses whose testimony would take approximately two hours.

17 DATED this 10 day of March 2005.



18 _____
19 JAMES K. SELLS
20 WSBA No. 6040
21 Attorney for Protestant
22 RYAN SELLS UPTEGRAFT, INC. P.S.
23 9657 Levin Rd. NW, Suite 240
24 Silverdale, WA 98383
25 (360) 307-8860
26

1 CERTIFICATE OF SERVICE

2 I hereby certify that on this day a true copy of the foregoing PROTEST OF
3 WASHINGTON REFUSE AND RECYCLING ASSOCIATION was served by first
4 class mail, postage prepaid, on:

5 DB Hauling LLC
6 612 No. 20th Ave.
7 Yakima, WA 98902

8 Haney Truck Line, Inc.
9 PO Box 29
10 Yakima, WA 98901

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

13 DATED this 20th day of March 2005 at Silverdale, Kitsap County,
14 Washington.

15 
16 Cheryl L. Sinclair