



STATE OF WASHINGTON

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

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June 19, 2008

Pete Kremen, County Executive
Carl Weimer, Chair, County Council
Whatcom County Executive's Office
County Courthouse
311 Grand Avenue, Suite #108
Bellingham, WA 98225

Re: Points Recycling and Refuse, LLC

Dear Messrs. Kremen and Weimer:

This is in response to Whatcom County's letters dated April 18 and June 6, 2008. In your letters, you state that Points Recycling and Refuse, LLC no longer provides curbside pickup service of recyclables, contrary to the requirements of both the Whatcom County Code and Comprehensive Solid Waste Management Plan. In your April 18, 2008 letter, the county's director of Public Works requested "to pursue the steps necessary with the WUTC to revoke Mr. Wilkowski's [owner/operator of Points Recycling and Refuse, LLC] certification as the designated hauler in Pt. Roberts." In your June 6, 2008 letter, in light of Mr. Wilkowski's alleged non-compliance, you formally request that "the WUTC schedule a hearing to determine whether Mr. Wilkowski's certification as the designated hauler in Pt. Roberts should be revoked."

Under RCW 81.77.030, an "aggrieved party" may complain to the commission about a solid waste company's failure to comply with any of the commission's orders, rules, or regulations. Following notice to the company and an opportunity for a hearing, the commission may suspend, revoke, alter or amend any certificate issued under RCW 81.77. By law, the commission is authorized to require "compliance with local solid waste management plans and related implementation ordinances." RCW 81.77.030. Moreover, "[t]o operate a solid waste collection company in the unincorporated areas of a county, the company must comply with the solid waste management plan prepared under chapter 70.95 RCW in the company's franchise area." RCW 81.77.040. As such, the commission will treat your letters as a formal complaint against Points Recycling and Refuse, LLC. The commission, by separate letter, will invite Mr. Wilkowski to respond to your complaint, after which, the commission may set this matter for hearing.

Sincerely,

David W. Danner
Executive Director and Secretary

cc: Arthur Wilkowski

