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April 22, 1992

Washington Utilities and  
Transportation Commission  
Attn: Paul Curl  
Chandler Plaza Building  
1300 S. Evergreen Park Drive SW  
P.O. Box 47250  
Olympia, WA 98504-7250

Re: DOCKET NO. 2G-920304 - Enoch Rowland dba Kleenwell Biohazard  
and General Ecology Consultants

Dear Mr. Curl:

Enclosed for filing in the above-referenced matter is the original Motion for General Intervention on behalf of Clark County Disposal, Inc. and Buchmann Sanitary Service, Inc. We have also enclosed a copy of the Motion which we request be conformed and returned to us in the enclosed envelope.

Thank you for your assistance.

Sincerely,



CYNTHIA A. HORENSTEIN

aj/sl  
Enclosures

cc w/encl.: CCDG

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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the )  
Proper Carrier Classification of: )  
 )  
ENOCH ROWLAND dba KLEENWELL )  
BIOHAZARD AND GENERAL ECOLOGY )  
CONSULTANTS )  
 )  
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DOCKET NO. 2G-920304  
MOTION FOR GENERAL  
INTERVENTION

COMES NOW Clark County Disposal, Inc. ("CCDI"), and Buchmann Sanitary Service, Inc. ("Buchmann") and respectively file this petition to intervene with the Washington Utilities and Transportation Commission ("Commission") based on the following grounds:

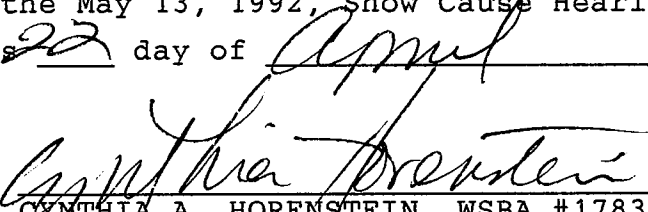
1. CCDI and Buchmann's address is: 9411 N.E. 94th Avenue, Vancouver, Washington 98662.
2. CCDI and Buchmann are appearing through their attorney, Stephen W. Horenstein of Horenstein & Duggan, P.O. Box 694, Vancouver, Washington 98666.
3. CCDI, doing business as Vancouver Sanitary Service and Twin City Sanitary Service, provides refuse collection services pursuant to Certificate of Public Convenience and Necessity number G-65 in both the incorporated and unincorporated areas of Clark County.
4. Buchmann provides refuse collection services pursuant to Certificate of Public Convenience and Necessity number G-79 in the unincorporated areas of Clark County.

1           5. Collectively, the certificates held by CCDI and Buchmann,  
2 as above-referenced, incorporates substantially all of the  
3 unincorporated areas of Clark County.

4           6. Kleenwell seeks to serve an area currently being serviced  
5 by a certificated hauler and direct contravention of established  
6 Commission policy and the public interest. CCDI and Buchmann,  
7 pursuant to their Certificate of Public Convenience and Necessity,  
8 remain ready, willing and able to provide solid waste hauling  
9 services to all customers throughout their certificated areas in  
10 Clark County. Kleenwell's continued transportation of solid waste  
11 will deprive CCDI and Buchmann from income under their certificates.

12           WHEREFORE, CCDI and Buchmann request that the Commission issue  
13 a declaratory ruling that Kleenwell is required to obtain a Public  
14 Certificate of Convenience and Necessity to continue its operations  
15 in the State of Washington and that the Commission, by order,  
16 permanently enjoin Kleenwell from operating its business in the  
17 State of Washington except upon full compliance with the laws and  
18 regulations of the State of Washington, specifically chapter 81.77  
19 RCW and chapter 480-70 WAC. CCDI and Buchmann further request  
20 intervenor status and an opportunity to present evidence in support  
21 of its position at the May 13, 1992, Show Cause Hearing.

22           DATED this 22 day of April, 1992.

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25             
26           CYNTHIA A. HORENSTEIN, WSBA #17830  
27           Of Attorneys for Clark County Disposal, Inc.  
28           and Buchmann Sanitary Service, Inc.



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Certificate of Public Convenience and Necessity  
for the Operation of a  
Garbage and Refuse Collection Company

Order M. V. G. No. 918

THIS IS TO CERTIFY: That

Clark County Disposal, Inc. G-65  
Twin City Sanitary Service/  
Vancouver Sanitary Service  
P O Box 1060  
Vancouver, WA 98660 D-2

is authorized to operate motor vehicles as a GARBAGE AND REFUSE COLLECTION COMPANY in the transportation of commodities and in the territory described herein. This certificate is issued pursuant to and subject to the restrictions of Chapter 295 of the Laws of 1961 and acts amendatory thereof and supplemental thereto and the rules and regulations of the Washington Utilities and Transportation Commission adopted thereunder.

GARBAGE AND REFUSE COLLECTION SERVICE in the Town of Washougal, the City of Vancouver, and within the area of Clark County bounded as follows: Starting at the point where the east line of Clark-Skamania County line intersects with the north bank of the Columbia River; thence westerly and northerly along the north bank of the Columbia River to the point where County Road #15 projected west intersects with said river bank; thence east following County Road #15, SSH-1T, William Blank Road and County Road #19 to the point where it intersects with PSH-1 (US-99); thence south on PSH-1 (US-99) to the point where it intersects with County Road #8 (N.E. 179th Street); thence east on County Road #8 to the point where it intersects with the Manor Highway (N.E. 72nd Ave.); thence south on said highway to the point where it intersects with County Road #6 (N.E. 119th Street); thence east on County Road #6 extended to the Clark-Skamania County line; thence south on the Clark-Skamania County line to the north bank of the Columbia River, the point of beginning.

GARBAGE AND REFUSE COLLECTION from the Shasta Industries facilities near Battleground, Washington, under contract with SHASTA INDUSTRIES.

EXCLUSION: Service is not authorized within the City of Camas.

M. V. G. No. 918

11-30-77

JAN. 10 1978

Dated at Olympia, Washington, \_\_\_\_\_, 19\_\_\_\_\_

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

By *William C. [Signature]*

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

# For the Operation of Motor Propelled Vehicles

pursuant to the provisions of Chapter 81 RCW

THIS IS TO CERTIFY that authority is granted to operate as a MOTOR CARRIER in the transportation of the commodities and in the territory described herein to

SEE MORTGAGE ENDORSEMENT ON CONTINUATION

Buchmann Sanitary Service, Inc.  
P.O. Box 627  
Battle Ground, WA 98604

CERT. NO.  
G-79

D-2

GARBAGE AND REFUSE COLLECTION SERVICE in portions of Clark, Cowlitz and Skamania Counties bounded as follows: Beginning at the intersection of the east line of Section 36, T. 6 N., R. 3 E. and the south shoreline of the Lewis River; thence following the south bank of said river and Lake Merwin to the intersection of the east line of Section 10, T. 5 N., R. 1 E.; thence south on the east line of said section to the southeast corner of Section 22, T. 5 N., R. 1 E.; thence west on the south line of said section to the northeast corner of Section 29, T. 5 N., R. 1 E.; thence south on the east line of said section to the southeast corner of said section; thence west on the south line of said section projected to the Lewis River; thence following the Lewis River in a generally westerly direction to the intersection of it with the Columbia River; thence following the east bank of the Columbia River in a southerly direction to the intersection of County Road No. 15 extended; thence east along County Road No. 15, SSH-1T, William Blank Road and County Road No. 19 to the point of intersection with PSH-1 (U. S. 99); thence south on said highway to County Road No. 8 (N. E. 179th St.); thence east on said road to Manor Highway (N. E. 72nd Ave.); thence south on said highway to County Road No. 6 (N. E. 119th St.); thence east on said road projected to the southeast corner of Section 25, T. 3 N., R. 4 E.; (the Clark-Skamania County Line); thence north along the east side of said Section 25 extended to the northeast corner of Section 13, T. 5 N., R. 4 E.; thence east on the extended north line of said section to the southeast corner of Section 12, T. 5 N., R. 6 E.; thence north on the east line of said section to the northeast corner of Section 24, T. 7 N., R. 6 E.; thence west on the north line of said section to the northwest corner of Section 24, T. 7 N., R. 3 E.; thence

WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

By Thomas Fischer

EXHIBIT B  
PAGE 1 of 2



WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Continuation

G-79

Buchmann Sanitary  
Service, Inc.

south along the west line of said section to the north shoreline of Lake Merwin; thence easterly along the north shoreline of said lake to its intersection with the east line of Section 36, T. 6 N., R. 3 E.; thence south along the east line of said section to the intersection of the south shoreline, the point of beginning.

M. V. G. No. 1056

5-20-81

This certificate subject to mortgage in favor of Emil P. Buchmann in the amount of \$138,000 as authorized by Commission Order M. V. G. No. 723, dated January 8, 1975.



EXHIBIT

B

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and deposited in the post office at Vancouver, Washington, on that date. Between the post office and address to which each copy was mailed, there is regular communication by U.S. Mail.

Dated: April 23, 1992.

  
CYNTHIA A. HORENSTEIN, WSBA #17830  
Of Attorneys for Clark County  
Disposal, Inc. and Buchmann Sanitary  
Service, Inc., Intervening Parties