

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Application TG-091259 of
WEST WASTE & RECYCLING

For an Extension of Certificate No. G-251 for a
Certificate of Public Convenience and
Necessity to Operate Motor Vehicles in
Furnishing Solid Waste Collection Services

Docket No.: TG-091259
(consolidated)

In re Application TG-091019 of

MURREY'S DISPOSAL COMPANY, INC.,
d/b/a OLYMPIC DISPOSAL

For an Extension of Certificate No. G-9 for a
Certificate of Public Convenience and
Necessity to Operate Motor Vehicles in
Furnishing Solid Waste Collection Service

Docket No.: TG-091019
(consolidated)

**WITNESS AND EXHIBIT LIST OF WEST
WASTE & RECYCLING**

COMES NOW West Waste & Recycling ("West Waste") and respectfully submits the following:

WITNESS LIST: West Waste hereby designates three witnesses it intends to call, either live or via sworn declaration, at hearing on Thursday afternoon, April 15, 2010: Brent Gagnon (owner of West Waste), Michael Turner (concessionaire with Aramark), and Phaedra R. Fuller (Contract Specialist with the National Park Service, Olympic National Park).

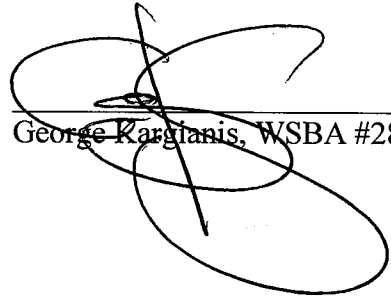
In addition, West Waste reserves the right to examine witnesses who may be called by Murrey's Disposal and the Intervenor.

WITNESS AND EXHIBIT LIST OF
WEST WASTE & RECYCLING

Law Offices of George Kargianis
701 5th Avenue Suite 4750
Seattle, WA 98104

EXHIBIT LIST: In conjunction with the above proposed testimony, West Waste offers the following proposed exhibits bearing upon West Waste's prima facie case in this matter under RCW 81.77.040: (1)WUTC Certificate for the Operation of Motor Vehicles, (2) State of Washington Master Business License, (3) 2009 Financial Statements, and (4) Equipment List.

DATED this 13th day of April, 2010.


George Kargianis, WSBA #286

CERTIFICATE OF SERVICE

I hereby certify that have this day served a copy of **West Waste's Witness and Exhibit List** upon all parties of record in this proceeding by email and mail properly addressed first-class, postage prepaid as follows:

Adam Torem, Administrative Law Judge
WUTC Administrative Law Division
1300 S. Evergreen Park Dr. S.W.
P.O. Box 47250
Olympia, WA 98504-7250

David Danner, Executive Secretary
Washington Utilities and Transportation Commission
Attn: Records Center
P.O. Box 47250
Olympia, WA 98504-7250

Attorney for Murrey's Disposal Company, Inc.
David W. Wiley
Williams Kastner & Gibbs PLLC
Two Union Square
601 Union Street
Seattle, WA 98101

Attorney for Washington Refuse and Recycling Association
James K. Sells.
Ryan Sells Uptegraft, Inc. PS
9657 Levin Rd NW Ste 240
Silverdale, WA 98383-7620

Dated this 13 day of April, 2010.

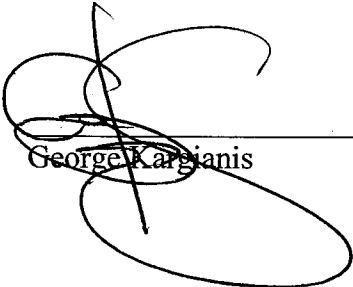

George Kargianis

EXHIBIT 1

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

WEST WASTE & RECYCLING, INC.
P.O. BOX 2172
FORKS, WA 98331

RECEIVED JAN 16 1996 PERMIT NO.
G-000251

Solid Waste collection service in that portion of Jefferson and Clallam Counties described as follows: Starting at the point where the Jefferson-Clallam County line intersects the shoreline of the Pacific Ocean thence southeasterly along said shoreline to its intersection with the Jefferson-Grays Harbor County line thence easterly along said Jefferson-Grays Harbor County line to the southeast corner of T 24 N, R 11 W, W.M. thence northerly along the east line of said township to its intersection with the south line of T 25 N, R 10 W, W.M. thence westerly along said line to the southwest corner of said township thence northerly along the east line of T 25 and 26 N, R 10 W, W.M. to the south line of T 27 N, R 11 W, W.M. thence easterly along said south line to the southeast corner thereof thence northerly along the east line of T 27 N, R 10 W to its intersection with the south line of Olympic National Park thence northerly and westerly along said south line to its intersection with the Jefferson-Clallam County line thence westerly along said line to the southeast corner to T 28 N, R 13 W, W.M. thence northerly along the east line of T 28 N, R 13 W, W.M. to the southwest corner of T 29 N, R 12 W, W.M. thence easterly along the south line of T 29 N, R 12, 11, 10 and 9 W, W.M. thence northerly along the east line of T 29 N, R 9 W, W.M. to the south line of T 30 N, R 9 W, W.M. thence northerly along the east line of S 25 and 26 and westerly along the north line of S 25, 26, 27, 28, 29, and 30 to the west line of T 30 N, R 9 W, W.M. thence northerly along the west line of T 30 and 31 N, R 9 W to its intersection with the shoreline of the Strait of Juan de Fuca thence northwesterly along said shoreline to its intersection with the shoreline of the Pacific Ocean thence southerly along said shoreline to the Clallam-Jefferson County line and the true point of beginning of this description.

M. V. C. NO. 1766

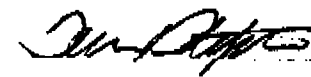
01 05 96

SERVICE DATE

JAN 12 1996

WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

By



Steve McLellan, Secretary



EXHIBIT 2



MASTER LICENSE SERVICE
REGISTRATIONS AND LICENSES

Unified Business ID #: 601 498 268
Business ID #: 1

Expires: 10-31-2010

WEST WASTE & RECYCLING, INC.
272 LAPUSH RD
FORKS WA 98331

Domestic Profit Corporation
Renewed by Authority of Secretary of State

REGISTERED TRADE NAMES:
WEST WASTE & RECYCLING, INC.

EXHIBIT 3

WEST WASTE & RECYCLING, INC.

**FINANCIAL STATEMENTS
INCOME TAX BASIS**

FOR THE YEAR ENDED DECEMBER 31, 2009



baker, overby & moore, inc., p.s.

CERTIFIED PUBLIC ACCOUNTANTS

To The Board of Directors
West Waste & Recycling, Inc.
Forks, Washington

We have compiled the accompanying statement of assets, liabilities and equity – income tax basis of West Waste & Recycling, Inc. (an S-Corporation) as of December 31, 2009, and the related statements of revenues and expenses – income tax basis and retained earnings – income tax basis for the year then ended, in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. The financial statements have been prepared on the accounting basis used by the company for income tax purposes, which is a comprehensive basis of accounting other than generally accepted accounting principles.

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them.

Management has elected to omit substantially all of the disclosures ordinarily included in financial statements prepared on the income tax basis of accounting. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Company's assets, liabilities, equity, revenues, and expenses. Accordingly, these financial statements are not designed for those who are not informed about such matters.

Baker, Overby & Moore, Inc., P.S.

April 12, 2010

P.O. Box 269
Forks, WA 98331

(360) 374-2275
(360) 374-6210 (fax)

bom@olyper.com

WEST WASTE & RECYCLING, INC.
STATEMENT OF ASSETS, LIABILITIES AND EQUITY – INCOME TAX BASIS
DECEMBER 31, 2009

ASSETS

Current Assets

Cash		
Cash on Hand, Office	\$ 189	
Cash on Hand, Transfer Station	3,287	
Checking, First Federal	28,076	
Checking, Bank of America	654	
Checking, Sterling Savings Bank	5,596	
Savings, First Federal	60,835	
Savings, First Federal	<u>30,750</u>	
Total Cash		\$129,387
Accounts Receivable		84,387
Prepaid Insurance		<u>8,749</u>
Total Current Assets		\$222,523

Fixed Assets (At Cost)

Land, Transfer Facility	55,258	
Vehicles	677,108	
Garbage Equipment	375,469	
Shop Equipment	10,955	
Recycling Equipment	43,627	
Office Fixtures	40,008	
Transfer Facility Improvements	265,130	
Transfer Station Equipment	71,193	
Sanicans	69,783	
Pumping Equipment	<u>3,474</u>	
Total Fixed Assets		1,612,005
Accumulated Depreciation		<u>(1,217,604)</u>
Net Fixed Assets		394,401

Other Assets

Organizational Expense	32,126	
Accumulated Amortization	<u>(32,126)</u>	
Net Other Assets		<u>0</u>

TOTAL ASSETS \$ 616,924

WEST WASTE & RECYCLING, INC.
STATEMENT OF ASSETS, LIABILITIES AND EQUITY – INCOME TAX BASIS
DECEMBER 31, 2009

LIABILITIES AND EQUITY

Current Liabilities

Wages Payable	\$ 8,764	
Accounts Payable	35,800	
Sales and Excise Taxes Payable	1,667	
Garbage Taxes Payable	9,037	
Payroll Taxes Payable	9,505	
Customer Deposits	27,193	
Insurance Reserve Roof	<u>6,022</u>	
		\$ 97,988
Current Portion Long Term Debt		<u>73,109</u>
Total Current Liabilities		\$171,097

Long Term Liabilities

First Federal, Lefler @ \$1,572.95/mo.	66,456	
Ford Credit @ \$327.97/mo.	3,002	
Columbia State Bank @ \$2,676.00/mo.	27,018	
Columbia State Bank @ \$1,867.00/mo.	51,144	
US Bank Manifest Funding @ \$959.57/mo.	<u>21,437</u>	
		169,057
Current Portion Long Term Debt		<u>(73,109)</u>
Total Long Term Liabilities		95,948
Total Liabilities		267,045

Equity

Common Stock (50,000 shares authorized, 38,948 shares issued)	38,948	
Additional Paid In Capital	50,000	
Retained Earnings	<u>260,931</u>	
Total Equity		<u>349,879</u>
TOTAL LIABILITIES AND EQUITY		<u>\$ 616,924</u>

WEST WASTE & RECYCLING, INC.
STATEMENT OF REVENUES AND EXPENSES – INCOME TAX BASIS
FOR THE YEAR ENDED DECEMBER 31, 2009

REVENUES

Garbage Collection	\$1,026,556	
Recycling	23,773	
Transfer Station	66,143	
Finance Charges	5,868	
Cash Over (Short)	63	
Interest Income	496	
Gain on Sale of Vehicles	1,774	
Septic Pumping and Sanicans	<u>128,142</u>	
Total Revenues		\$1,252,815

OPERATING EXPENSES

Wages	224,198	
Fuel	49,906	
Insurance	28,133	
Sanitation Expense	1,935	
Septic Expense	414	
Shop Expense	13,101	
Recycling Expense	6,381	
Repairs	43,111	
Supplies	654	
Tipping Fees	407,640	
Transfer Station Expense	<u>22,728</u>	
Total Operation Expense		<u>798,201</u>
Gross Profit		454,614

GENERAL AND ADMINISTRATIVE EXPENSES

Advertising	3,122	
Bad Debt Expense (Recovery)	(159)	
Bank Fees	2,665	
Computer Support	1,865	
Contributions	1,520	
Depreciation	134,862	
Dues and Subscription	929	
Employee Benefits	1,905	
Fines & Penalties	473	
Interest	18,465	
Life Insurance	2,069	
Miscellaneous	80	
Office Supplies	9,176	
Office Wages	59,982	
Officer Wages	39,605	
Postage	6,624	
Professional Services	7,865	
Rent	12,000	
Taxes, Payroll	41,285	
Taxes, Licenses	33,736	
Telephone	8,911	
Travel	2,572	
Utilities	<u>6,661</u>	
Total General and Administrative Expenses		<u>(396,213)</u>

NET INCOME \$ 58,401

See Accountant's Report

WEST WASTE & RECYCLING, INC.
STATEMENT OF RETAINED EARNINGS – INCOME TAX BASIS
FOR THE YEAR ENDED DECEMBER 31, 2009

Retained Earnings, January 1, 2009	\$ 210,250
Shareholder Distributions, Year Ended December 31, 2009	(7,720)
Net Income, Year Ended December 31, 2009	<u>58,401</u>
Retained Earnings, December 31, 2009	\$ <u>260,931</u>

EXHIBIT 4

West Waste Recycling, Inc.
Solid Waste Collection Equipment
12/31/09

SOLID WASTE COLLECTION EQUIPMENT

Peterbilt #3
 84 Int'l #5
 Live Bottom Trailers (2)
 74/78 Van Trailers
 GMC w/30 & 40 yd drop boxes
 2000 Int'l Garbage Truck #00
 01 Int'l 4700 Garbage Truck #4
 03 Int'l Garbage Truck #1
 06 Peterbilt rolloff truck #13
 97 Timpete 48' Live Btm Trlr
 R'O curtain body 8x25

125 2-yd dumpsters
 30 1 1/2-yd dumpsters
 20 - 1 yd dumpsters
 2 - 6 yd, 2 - 4 yd dumpsters
 12 used dumpsters
 20 dumpster lids
 Recycling dumpsters
 60 1- yd dumpsters
 30 - 1 yd dumpsters
 30 - 1 yd dumpsters
 17 - 1 yd dumpsters
 30 - 1 yd dumpsters
 22' storage box
 19 - 1 yds; 12 new bottoms
 30-yd Drop box
 15 - 1 yd dumpsters
 16 - 1 yd dumpsters
 30 - 1 yd dumpsters
 3 - 40' storage containers
 12 - 4 yd dumpsters
 12 - 6 yd dumpsters
 22' rolloff storage container
 2 30-yd dropboxes
 2 40-yd dropboxes
 30 - 1 yd dumpsters
 78 containers (B & J)
 14 containers (B & J)
 15 - 1 yd dumpsters
 16 - 1 yd dumpsters
 30 - 1 yd dumpsters
 4 dumpsters
 32 - 1 yd dumpsters
 15 - 1 yd dumpsters
 7 dumpsters

**West Waste Recycling, Inc.
Solid Waste Collection Equipment
12/31/09**

30 yd compactor (Kalaloch)
15 - 1 yd dumpsters
Compactor (Kalaloch)
Compactor (Kalaloch)
Used 25 yd (Superior)
12 - 1 yd containers
12 - 1 yd containers
4 yd dumpsters
4 yd dumpsters
1 yd dumpsters
15 - 1 yd dumpsters
40 - 1 yd dumpsters
30 1-yd dumpsters/Waldport
30 1-yd dumpsters
44 - 1 yd dumpsters
12 - 300 gal paper tubs
Drop box
3 - 10 yd Drop box
10 yard drop box
30 - 1 yd dumpsters
2 - 40 yd drop boxes
2 - 30 yd drop boxes
15 yd compactor TM
30 1-yd dumpsters
18' rolloff box