



SEATTLE OFFICE
 eighteenth floor
 second & seneca building
 1191 second avenue
 seattle, washington 98101-2939
 TEL 206 464 3939 FAX 206 464 0125

OTHER OFFICES
 new york, new york
 portland, oregon
 washington, dc
 GSBLAW.COM

GARVEY SCHUBERT BARER

Please reply to STEPHEN B. JOHNSON
 sjohnson@gsblaw.com TEL/FAX 206-464-1309
 Direct: (206) 464-1309

March 30, 2004

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

RECEIVED
 RECORDS MANAGEMENT
 MAR 31 AM 8:21
 STATE OF WASH.
 UTIL. AND TRANSP.
 COMMISSION


Re: Application of Rubatino Refuse Removal, Inc.
 GA-79266/TG-040553

Dear Ms. Washburn:

Enclosed for filing is an original and three copies of Protest of Stericycle of Washington, Inc. to Application for Permanent Solid Waste Collection Authority.

Sincerely,

GARVEY SCHUBERT BARER

By 
 Stephen B. Johnson

SBJ:r
 Enclosures
 cc: James K. Sells
 Stericycle of Washington, Inc.

SEA_DOCS:703293.1

Posted

RECEIVED
RECORDS MANAGEMENT

04 MAR 31 AM 8:21

STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In Re Application of

RUBATINO REFUSE REMOVAL, INC.
2812 Hoyt Avenue
P.O. Box 1029
Everett, WA 98206-1029

No. GA-079266

PROTEST OF STERICYCLE OF
WASHINGTON, INC. TO APPLICATION
FOR PERMANENT SOLID WASTE
COLLECTION AUTHORITY

STERICYCLE OF WASHINGTON, INC. ("Stericycle"), WUTC Certificate No. G-244, 20320 80th Ave. S., Kent, WA 98032, by and through its attorneys Stephen B. Johnson, Charles L. Cottrell and Garvey Schubert Barer, 1191 Second Ave., Seattle, WA 98101, (206) 464-3939, hereby protests the above entitled application for certificate of public convenience and necessity to operate as a solid waste collection company filed with the Commission on March 22, 2004, by Rubatino Refuse Removal, Inc. ("Applicant") in which the Applicant seeks an extension of Certificate No. G-58 to permit Applicant to provide "solid waste collection service consisting of biomedical waste in Skagit, Whatcom, and Snohomish Counties" (Application No. TG-040553, hereinafter the "Application").

This protest is submitted on the following grounds:

1 territory subject to the Application and throughout the state of Washington. The granting of
2 additional overlapping authority would harm Stericycle and its ability to provide biomedical
3 waste collection and transportation services to biomedical waste generators in the subject
4 territory and in other parts of the state of Washington and would therefore be detrimental to the
5 public interest.

6 **D. Public convenience and necessity.**

7 Stericycle alleges that the Applicant has not and cannot demonstrate that granting its
8 application is warranted by the public convenience and necessity. Granting of the Application
9 would in fact be contrary to the public interest and is not required by present or future public
10 convenience or necessity.

11 **III. CONCLUSION**

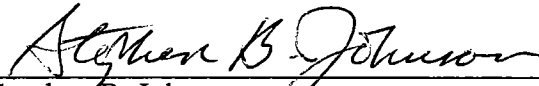
12 Stericycle has a direct interest in this proceeding which can only be represented through
13 its active participation in the development of the record and all proceedings related to the
14 disposition of the docketed Application. Stericycle is unaware of any restrictive amendment
15 that would fully satisfy its interests herein and therefore asks that the Application be denied in
16 its entirety. Stericycle certifies that it will appear at any hearing on this matter and intends to
17 present evidence through up to ten (10) witnesses, requiring an estimated hearing time of
18 approximately 7 hours.

19 Protestant Stericycle of Washington, Inc. prays that its right to participate in all
20 Commission proceedings on the Application be fully affirmed and that the Application be
21 denied in its entirety.

1 DATED this 30th day of March, 2004.

2 Respectfully submitted,

3 GARVEY SCHUBERT BARER

4
5 By 

6 Stephen B. Johnson, WSBA #6196
7 Charles L. Cottrell, WSBA #31984
8 Attorneys for Protestant Stericycle of
9 Washington, Inc.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

STERICYCLE OF WASHINGTON, INC.
258 SW 43RD STREET SUITE M-B
RENTON, WASHINGTON 98055

Cert No.
G-244

CORRECTED

Solid Waste consisting of biohazardous or biomedical wastes in the state of Washington.

Solid Waste from the facilities of Stericycle, Inc., for disposal.

M. V. G. NO. 1876

12-07-99



WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

By *Carole J. Shasklusa*

Exhibit A

1 **CERTIFICATE OF SERVICE**

2 I, Rondi Susort, certify under penalty of perjury under the laws of the State of
3 Washington that, on March 30, 2004, I caused to be served on the person listed below in the
4 manner shown:

5 **Protest of Stericycle of Washington, Inc. to Application**
6 **for Permanent Solid Waste Collection Authority**

7 Rubatino Refuse Removal, Inc.
2812 Hoyt Avenue
8 P.O. Box 1029
Everett, WA 98206-1029

James K. Sells
Ryan Sells Uptegraft, Inc.
9657 Levin Road N.W., Suite 240
Silverdale, WA 98383
Attorney for Applicant

- 10 United States Mail, First Class, Postage Prepaid
11 By Legal Messenger
12 By Facsimile

13 Dated at Seattle, Washington this 30th day of March, 2004.

14 
15 _____
16 Rondi Susort