

Freedom 2000 LLC  
DBA Cando Recycling and Disposal  
550 Calder Drive  
PO Box 1314  
Point Roberts, WA 98281-1314

June 29, 2009

Secretary  
Washington Utilities and Transportation Commission  
P O Box 47250  
Olympia, WA 98504-7250

Dear Sirs:

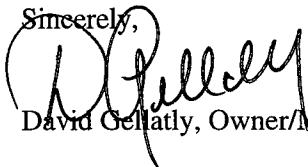
This filing is submitted by: Freedom 2000 LLC DBA Cando Recycling and Disposal

Docket number TG-081576 has been assigned to the original application of Freedom 2000 LLC which was submitted on August 26, 2008.

After review with commission staff, we have made some minor corrections to the information previously provided with our application. Attached are those revised pages submitted for your consideration.

If you have questions regarding this filing, please contact the undersigned. The telephone number is (360) 945-1410, the fax number is (360) 945-1410, and the e-mail address is [david@kordlyn.com](mailto:david@kordlyn.com).

Sincerely,

  
David Gellatly, Owner/Manager

2009 JUL -2 AM 8:11

**Type of business structure:**

Individual  Partnership  Corporation  Other(LP, LLP, LLC) LLC UBI No. 602-856-625

List the name, title, and percentage of partner's share or stock distribution for major stockholders:

<u>Name</u>	<u>Title</u>	<u>Stock Distribution or Percentage of Shares</u>
David Gellatly	Owner/Manager	100%

Indicate below the commodity to be hauled and the territory in which you wish to operate. **PLEASE NOTE** Territory must be described using boundaries such as streets, avenues, roads, highways, townships, ranges, city limits, county boundaries or other geographic descriptions. In addition to describing the territory, you must file a map that meets the requirements of WAC 480-70-056 and clearly shows the described territory.

Solid Waste collection and Transportation in Point Roberts, Washington. See attached Maps

State below the conditions that justify the granting of this application. If you are applying for temporary certificate authority, be sure your statement addresses and supports the question of "immediate and urgent need."  
Please see attached statement.

Do you currently hold, or have you ever held, a solid waste certificate?

No  Yes If yes, please indicate your certificate number: G-\_\_\_\_\_

Have you ever applied for and been denied a certificate to transport solid waste?

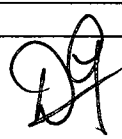
No  Yes If yes, please explain: \_\_\_\_\_

Please tell us about your experience and knowledge of transportation or solid waste, including motor carrier driver and equipment safety requirements.

Please see attached statement

Have you been cited for violation of state laws or Commission rules?

No  Yes If yes, please explain: \_\_\_\_\_



**SECTION 3 – RATES AND TARIFFS**

Is this application to operate under a contract?

No     Yes    If yes, submit the original or a duplicate original of each contract under which service will be performed. The contract must contain all the elements stated in WAC 480-70-146.

If this application is for temporary authority, a new certificate, or extension of existing certificated authority, you must attach two copies of your proposed tariff using either the standard tariff format included in this package, or an approved alternate format. All tariffs submitted must comply with the provisions of WAC 480-70-226 through WAC 480-70-351.

If this application is a transfer or a lease of authority from an existing certificate, you must either file a new tariff at the same rate levels as on file, or you must adopt the current certificate holder's tariff. To file a new tariff, use the standard tariff format attached to this application or an approved alternate format. Indicate which option you will use:

- Adopt  
 File a new tariff

**SECTION 4 – FINANCIAL STATEMENT**

You may attach a Balance Sheet, Profit and Loss Statement, or business plan if available.

ASSETS		LIABILITIES	
Cash in Bank	\$10,000.00	Salaries/Wages Payable	\$
Notes Receivable	\$	Accounts Payable	\$
Accounts Receivable	\$	Notes Payable	\$
Investments	\$	Mortgages Payable	\$
Other Current Assets	\$	Contracts and Bonds Payable	\$
Prepaid Expenses	\$	<b>TOTAL LIABILITIES</b>	\$
Land and Buildings	\$	<b>NET WORTH</b>	
Trucks and Trailers	\$3,000.00	Preferred Stock	\$
Office Furniture	\$	Common Stock	\$
Other Equipment	\$	Retained Earnings	\$
Other Assets	\$	Capital	\$13,000.00
<b>TOTAL ASSETS</b>	\$13,000.00	<b>TOTAL LIABILITIES AND NET WORTH</b>	\$13,000.00

**SECTION 5 – EQUIPMENT LIST**

Describe the equipment that will be used (attach additional sheets if necessary). Vehicles must pass inspection and be issued a valid Commercial Vehicle Safety Alliance inspection decal before your application may be granted.

Year	Make	License Number	Vehicle ID Number	Gross Vehicle Weight	Type of vehicle
2002	Ford	A76844Y	1FTRW08L62KB1 7187	6750	Pick Up



**SECTION 6 – SAFETY AND OPERATIONS**

In each of the categories show below, list the person and position responsible for understanding and complying with the Federal Motor Carrier Safety Regulations (FMCSR) and Washington State laws and rules. Please refer to the WAC rules, Fact Sheets, and publication "Your Guide to Achieving a Satisfactory Safety Rating" for assistance with requirements that may apply to your specific operations.

**SAFETY RESPONSIBILITIES**

**COMMERCIAL DRIVERS LICENSE (CDL) REQUIREMENTS (Title 49, Code of Federal Regulations Part 383)** Any driver who operates a vehicle that meets the definition of a commercial motor vehicle must have a valid CDL.

Name: David Gellatly	Position: Owner/Operator
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**DRIVER QUALIFICATION REQUIREMENTS (Title 49, Code of Federal Regulations Part 391)** Driver's must meet minimum qualification requirements and each company must maintain driver qualification files for each driver.

Name: David Gellatly	Position: Owner/Operator
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**DRIVERS HOURS OF SERVICE (Title 49, Code of Federal Regulations Part 395)** Drivers must maintain logs and each company must maintain true and accurate hours of service records for each driver.

Name: David Gellatly	Position: Owner/Operator
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**CONTROLLED SUBSTANCES AND ALCOHOL TESTING (Part 382)** All persons who drive commercial vehicles requiring a CDL must be in a Controlled Substance and Alcohol Testing program that complies with the FMCSR in 49 CFR Part 382 and 49 CFR Part 40.

Each company will have in place a system for complying with FMCSR governing alcohol and controlled substances testing requirements (49 CFR Part 382 and 49 CFR Part 40).

Name: David Gellatly	Position: Owner/Operator
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**INSPECTION, REPAIR AND MAINTENANCE (Title 49, Code of Federal Regulations Part 396)** Every motor carrier shall systematically inspect, repair, and maintain all motor vehicles subject to its control.

Name: David Gellatly	Position: Owner/Operator
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**OPERATIONAL RESPONSIBILITIES**

List the person and/or position responsible for understanding and complying with the requirements of each category shown below.

**TARIFF RATES AND CHARGES (WAC 480-70-226 through WAC 480-70-351)** Companies must file with the Commission a tariff showing all rates and charges it will charge its customers, together with rules that govern how rates and charges will be assessed.

Name: David Gellatly	Position: Owner/Operator
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**ANNUAL REPORTS and REGULATORY FEES (WAC 480-70-071 & 076)** Companies must annually file a report of their financial operations and pay regulatory fees.

Name: David Gellatly	Position: Owner/Operator
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**BIOMEDICAL WASTE (WAC 480-70-426 through 476)** Companies that transport biomedical waste must handle and transport that waste according to the appropriate requirements of the federal hazardous materials regulations (49 CFR Parts 170-189) and the additional requirements in these rules.

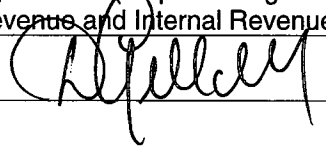
Name: N/A	Position: N/A
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**CUSTOMER SERVICE** –Person responsible for customer service complaints, customer notice requirements, and compliance with county solid waste plans.

Name: David Gellatly	Position: Owner/Operator
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**STATE OF WASHINGTON – general laws, rules and regulations:** Individuals and companies doing business in the state of Washington must comply with the regulations of local, state, and federal agencies. Please state the name and position of the person in your organization who will be responsible for ensuring compliance with the laws of the state of Washington, such as, but not limited to: Department of Labor and Industries (industrial insurance, safety, prevailing wage); Department of Licensing (vehicle and drivers licenses, business licensing, Unified Business Identifier (UBI number), fuel permits, fuel tax); Secretary of State (corporate registrations); Department of Transportation (over-size or over-weight permits); Department of Revenue and Internal Revenue Service (taxes); and Employment Security.

Name: David Gellatly	Position: Owner/Operator
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**SECTION 7 – HEARING INFORMATION**

If the Commission assigns this application for formal hearing, estimate the number of witnesses you will present and the amount of time you will need for your presentation.	
Number of witnesses: 10	Amount of time: 1 day
Will an attorney be representing you? If yes, complete the following:	
Attorney's name: N/A	Attorney's phone number: N/A
Attorney's address: N/A	Fax Number: N/A
Street	E-mail: N/A
City, State, Zip N/A	

**TYPE OF PAYMENT:**

<input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> AMEX <input type="checkbox"/> Discover <input type="checkbox"/> MasterCard <input type="checkbox"/> Visa
<b>Credit Card Information:</b>
Expiration Date: _____ Amount: _____

**SECTION 8 – DECLARATION OF APPLICANT:**

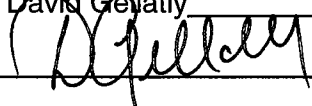
I understand that filing this application **does not** in itself constitute authority to operate as a solid waste collection company.

As the applicant for a solid waste collection company certificate, I understand the responsibilities of a solid waste collection company, and I am in compliance with all local, state, and federal regulations governing business in the state of Washington.


I certify under penalty of perjury under the laws of the State of Washington that the information contained in this application is true and correct.

I certify that I am authorized to execute and file this document.

Printed name of applicant: David Gellatly \_\_\_\_\_

Signature of Applicant:  \_\_\_\_\_

Date, County, State: ~~June 14, 2008~~, Whatcom County, Washington \_\_\_\_\_  
June 29, 2009

AMENDED 6/29/09 

## Section 5 – Equipment List

Once granted a certificate, the company would purchase a special recycling trailer to conduct operations. That trailer could be completed within 30 days of the order date, and would then have to be transported from Minnesota where the manufacturer has their fabrication plant.

Initial recycling service would be conducted with a pickup truck with separate bins in the box to keep recyclables separated. *(All customers currently have recycling bins)*

It is our intention to operate this company with a single axel garbage truck with an 18 to 20 yard packer. We have sourced out several of these trucks and once we are sure that our certificate will be granted.

We will also be purchasing a single axel roll off container vehicle and containers for local service.

Until we are sure that our application will proceed, we are not keen on purchasing equipment which will not be of any use to us. Should we be faced with the need to expedite the purchase of equipment, we will take all necessary measures to secure equipment within the State of Washington.

It is our intention to have 4 vehicles including the recycle trailer; pickup truck; packer; and roll off container vehicle.

Amended 6/29/09 JG

The listing on the application does not really provide for enough information and there for we submit the following for your consideration.

This is a start up business and therefore a balance sheet or profit and loss statement is unavailable. We have however prepared a budget to outline rough income and expenses. Some of these numbers are based on information provided by the previous certificate holder's filings with the WUTC which are a matter of public record. We feel that the information contained in this budget is conservative and that the revenues will be slightly higher and quite possibly we will, have lower expenses than those stated. Additionally, as the recycling component of the business grows, and global economics start to recover, there will be a return on recyclable materials which will certainly add to the bottom line.

In completing this application and preparing the tentative budget , it is clear that this operation only has the components of success contingent upon receiving the lease of the Whatcom County owned transfer station situated in Point Roberts at Johnson Road. In his open letter to Point Roberts citizens, Whatcom County Public Works Department Director, Frank M. Abart seems to indicate that once a solid waste collection company is certified then the county will negotiate a lease with that new company. This will be essential in order to operate with a margin of success. Revenue quoted is based upon the transfer station income and usage. *If the county does not Provide Freedom 2000 with a lease for the Transfer Station, Freedom 2000 will be unable to provide services as outlined in this application and will be forced to withdraw.*

While we have had \$10,000.00 in our bank account since it opened in August of last year, we will be adding to that in the amount of \$30,000.00. Additionally we have secured short term (5 years) private financing in the amount of up to \$50,000.00.

We feel that we will be able to manage payments on our short term financing through our Facility, Equipment and Vehicle depreciation accounts of \$3750 per month.

Applications for USDOT and Operating authority have been filed electronically with the FMCSA and copies are attached hereto. Although we are not in receipt of it at this time, an electronic filing of our BOC-3 has been conducted. We will forward that in follow up for your files. A copy of the UCR application is also attached and will be submitted with the required fee. We are awaiting a submission from our insurance broker to finalize our process with the USDOT.

It is our intention to manage all operational matters in Point Roberts, and contract out any hauling of solid waste From Point Roberts, to contract carriers (*from disposal site to disposal site*). It is not our intention, at least initially, to buy unnecessary equipment when basic fundamental service will meet the needs of this community. Our efforts will be directed towards customer service and garnering community support. This will be

done primarily through direct contact with community groups and individuals. We hope that this approach will allow us to expand on our customer base.

We are also intending on contracting out our accounting services to a local contractor who will come to our offices and perform our billing, payroll, tax remittals and regulatory reporting functions. This individual is familiar with county government as they perform bookkeeping services for both the Fire and Water Districts here in Point Roberts. It is our intention to use industry designed software in order to streamline accounting and reporting activities.

Expanding into commercial recycling will be necessary in order to expand the recycling base of materials in Point Roberts. Currently a significant amount of recyclable material is land filled because no one has taken the time to educate the general public, including the businesses.

We also enclose for your information and records, a copy of our "TRANSPORTATION OF RECYCLABLE MATERIALS REGISTRATION" which has been sent to the Washington State Department of Ecology.

A handwritten signature in black ink, consisting of stylized, overlapping loops and a long horizontal stroke extending to the right.