

**Exh. DS-1T
Docket TG-181023
Witness: Daniel Stein**

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of:

SUPERIOR WASTE & RECYCLE, LLC

for Authority to Operate as a Solid Waste
Collection Company in Washington

DOCKET TG-181023

TESTIMONY OF

DANIEL STEIN

ON BEHALF OF SUPERIOR WASTE & RECYCLE LLC

Direct Testimony

May 15, 2019

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- Exh. DS-6 KitsapSun article dated Oct 29, 2007
- Exh. DS-7 KitsapSun article dated May 3, 2019

1 **I. INTRODUCTION**

2 **Q. Please state your name and business address.**

3 A. My name is Daniel Stein. My business address is P.O. Box 480, Seabeck, WA 98380.

4
5 **Q. What brings you in front of the Washington Utilities and Transportation**
6 **Commission?**

7 A. I submitted an application for a solid waste collection company certificate on December
8 13, 2018. A protest to the application was filed by Waste Management of Washington,
9 Inc., on February 20, 2019.

10
11 **II. WASTE MANAGEMENT'S SERVICE**

12 **Q. What made you decide to get into the solid waste collection business?**

13 A. I am in this business out of necessity & convenience due to the needs to the customers
14 in the territory the certificate is applied for. Waste Management is unable to fulfill their
15 needs and is not providing adequate service. They have refused to provide service to
16 certain households.

17
18 **Q. What support do you have of Waste Management's failure to provide service?**

19 A. I have provided my statement, Ex. DS-2

20 I have provided statement of Tammy Stein, Ex. DS-3

21 I have provided customer support statements, Ex. DS-4

22 I have provided letter from Sondra Evan, Ex. DS-5

23 I have provided a Kitsap Sun article from 2007, Ex. DS-6

1 I have provided a more recent Kitsap Sun Article from this month, Ex. DS-7

2

3 **Q. Do you believe Waste Management is meeting the needs of the customers in the**
4 **territory where you applied for a certificate?**

5 A. No.

6

7 **Q. How do you believe Waste Management is failing the customers?**

8 A. Waste Management is unreasonably refusing service, not offering adequate service or
9 curbside pickup. Is ignoring the needs of the elderly and disabled customers.
10 Additionally, Waste Management may be violating WAC 480-70-386 by not
11 acknowledging and investigating complaints.

12

13 **Q. What is your basis for belief Waste Management is not acknowledging or**
14 **investigating complaints?**

15 A. Records produced by Waste Management of number of complaints lodged show that
16 more customers have reported they complained to Waste Management than Waste
17 Management is reporting.

18

19 **III. SUPERIOR'S QUALIFICATIONS**

20 **Q. Are you qualified to provided solid waste collection in the area you applied for a**
21 **certificate?**

22 A. Yes.

23

24

1 **Q. What qualifications do you have to collect solid waste?**

2 A. I am familiar with the law regarding collection of solid waste. I attended (ATS) All
3 Training Services in Port Orchard, WA for truck driver training school. Part of the training
4 covered hours of service extensively. It also trained me extensively for pre and post trip
5 inspections. I also drove for Swift Long Haul for 8 months running logs both digital and
6 paper. I had to deal with multiple time zones for delivery of freight with an interstate CDL. I
7 also drove side dump, belly dump, pneumatic sand tanker, water tanker, dump and pup, all
8 class A CMV vehicles in North Dakota oil fields. All North Dakota CMV jobs ran on 14-hour
9 log books. I received driver awards at Swift for on time and correct logs both electronic and
10 paper logs. I have held a CDL in good standing since 2010 with no lapses.

11

12 **Q. What would Superior's service be better than Waste Management's?**

13 A. I have successfully provide service to all the customers Waste Management has been
14 unable or unwilling to provide service to. I have already showcased my ability to provide a
15 better service by showing evidence of all the customers who are willing to leave Waste
16 Management and get service from me. WAC 480-70-371 allows a customer to cancel their
17 service with their solid waste collection company by giving them a three (3) day notice, and I
18 am willing to serve all the customers whom Waste Management is unwilling to serve.

19

20 **Q. What type of a customer base does Superior typically Serve?**

21 A. Customers that require a pack-out service.

22

23 **Q. How would you describe pack-out service?**

24 A. Pack out service being different from traditional waste collection. Pack out service is a

1 specialized industry in my view pertaining to a customer base that is physically incapable
2 (necessity) or unwilling to meet the high demands of transporting waste collection cans to a
3 predetermined private carrier site. (Convenience). The term "Pack out service" should be just
4 that. A service devoted to bridging these barriers that keep people from waste collection. Only
5 under the extreme circumstances (safety) should a current or potential customer be denied
6 service.

7

8 **Q. Is it your understanding that overlapping territories exist in Washington?**

9 A. The UTC has stated that, while not common, overlapping territories do exist.

10

11

IV. CONCLUSION

12 **Q. Does this conclude your testimony?**

13 A. Yes.