

-MEMORANDUM

November 6, 2003

TO: Gene Eckhardt, Regulatory Services Assistant Director,
Transportation and Water Section

FROM: Bonnie L. Allen, Regulatory Analyst

SUBJECT: Application: GA-79195 Docket TG-031044

Applicant Transferee: Harold LeMay Enterprises, Inc. G-98
PO Box 44459
Tacoma, WA 98444

Applicant Transferor: Pacific Disposal Inc. G-97
PO Box 44459
Tacoma, WA 98444

Application No. GA-79195 is a request for transfer of a portion of authority to provide solid waste collection service in Thurston County from Pacific Disposal, Inc., (Pacific), holder of Solid Waste Collection Certificate No. G-97, to Harold LeMay Enterprises, Inc., (LeMay), holder of Solid Waste Collection Certificate No. G-97.

The application appeared on the July 21, 2003, application docket. No one filed a protest, intervention, or application for overlapping authority during the docket and protest period.

This is one of four applications filed by LeMay and Pacific as a result of the Commission's GIS mapping project. The applications are part of efforts to rationalize services and territories between the two companies and to ensure that each company is operating within its certificate authority. The other three applications are:

- Application for extension of Pacific's authority in Thurston County. (Application No. GA-79192, Docket No. TG-031042)
- Application for a portion transfer of authority in Thurston County from LeMay to Pacific. (Application No. GA-79193, Docket No. TG031043)
- Application for extension of LeMay's authority in Thurston County. (Application No. GA-79194, Docket No. TG-031045)

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Under the provisions of RCW 81.77.040, the Commission may grant an application with or without hearing when there is no existing certificate holder authorized to provide solid waste collection service in the territory requested. Further, any certificate may be sold, assigned, leased, transferred, or inherited as property, but only on authorization by the Commission.

This is an uncontested application to transfer a portion of authority. The applicants in this filing have no outstanding penalties, fines, administrative, or compliance actions pending before the commission. Staff has received no other information indicating this application should be set for hearing.

I recommend this application be granted without hearing and referred to staff for processing.

NOTES TO STAFF:

GIS staff will prepare maps of the revised certificates. The effective date of the maps should coincide with effective date of the order granting the portion transfer.

Tariffs – The applicant is currently providing services under its existing tariff. Tariff staff will need to determine if there are tariff changes required from the transferor or the transferee.

Licensing – The new authority transferred to LeMay should be appended to G-98. The authority transferred from Pacific should be restricted from G-97. The final application processed (GA-79193) will include a rewrite of each certificate to incorporate all changes into a single territory description.

To coordinate the maps and rewrites of certificate authority please process the applications and issue the orders in the following sequence: GA-79195, GA-79194, GA-79192. GA-79193 is being redocketed to correct an error in the description of the territory requested and should be the last one processed.