

Point Recycling and Refuse

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December 2, 2009

Washington Utilities and Transportation Commission

PO Box 47250

Olympia, WA 98504-7250

RE: Docket TG-091687 Point Recycling – Point Roberts Transfer Station Lease

Dear Commission,

Freedom 2000 repeated stated that the purpose of their application was to take control of the Point Roberts Transfer Station. The station is a key part of their proposal and business plan.

Whatcom County has promised the station to Freedom 2000 but it is unlikely they can swiftly deliver it.

There are significant legal issues regarding the closed door negotiations between the County and representatives of Freedom 2000. By promising the Station to Freedom 2000 if they or their agents the Three Complainants could destroy Point Recycling, the County created a deliberate and sustained attack on our property right. The County simultaneously denied Point Recycling any reasonable recourse to the County's complaint. The negotiation of lease terms and conditions by the County with Freedom 2000 is a clear violation of State Law.

Whatcom County and Point Recycling have unresolved issues concerning the County's deliberate destruction of our G-Certificate.

Point Recycling has a valid lease in force for the Transfer Station. We also own all the operating infrastructure of the station. We are not inclined to give up our lease or to transfer ownership of our assets until all issues with Whatcom County are resolved. I believe that if necessary, given the history of solid waste issues, that resolution of all issues could take several years.

The Commission, when evaluating the Freedom 2000 application, must do so in the context of Freedom not achieving operational control of the Point Roberts Transfer Station.

Sincerely,

Arthur Wilkowski

Point Recycling and Refuse