

BEFORE THE STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND PILOTS,

Respondent.

Docket TP-220513

**RESPONDENT PUGET SOUND
PILOTS' MOTION FOR LEAVE TO
FILE REPLY IN SUPPORT OF
MOTION TO COMPEL**

MOTION

1. Pursuant to WAC 480-07-370(5)(b), Respondent Puget Sound Pilots (“PSP”) moves for leave to file the Reply in Support of Motion to Compel that is attached hereto as Exhibit A. In support of this motion, PSP relies on the record previously filed herein and the following points and authorities.

MEMORANDUM

I. BACKGROUND.

2. PSP filed its Motion to Compel on March 21, 2023. PSP’s motion seeks to compel complete responses to PSP’s Data Requests Nos. one through eight directed to Intervenor Pacific Merchant Shippers’ Association (“PMSA”).
3. On March 27, PMSA filed its response in opposition to PSP’s motion.

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II. ARGUMENT.

4. WAC 480-07-370(5)(b) grants the Commission discretion to allow a reply where necessary to address new facts or legal arguments raised in a response. Here, PMSA's opposition raises new arguments in support of its position that it need not produce discovery. Leave to reply is appropriate in these circumstances to respond to PMSA's arguments and the Commission should exercise its discretion to allow PSP to file the proposed reply in substantially the form attached hereto as Exhibit A.

III. CONCLUSION.

5. PSP's motion should be granted, and the proposed reply should be entered in the record.

Respectfully submitted this 3rd day of April, 2023.

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