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BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STERICYCLE OF WASHINGTON, INC.,  
Complainant,  
v.  
WASTE MANAGEMENT OF WASHINGTON,  
INC., d/b/a WM Healthcare Solutions of  
Washington,  
Respondent.

Docket No. TG-121597

WASTE MANAGEMENT'S RESPONSE  
TO STERICYCLE'S PROPOSED  
DISCOVERY PLAN

1           1.       Waste Management of Washington, Inc. d/b/a WM Healthcare Solutions of Washington  
2 (“Waste Management”) submits below its response to Stericycle of Washington, Inc.’s Proposed  
3 Discovery Plan.

4           2.       In response to Paragraph 2, Waste Management agrees that discovery in this proceeding  
5 is proper under WAC 480-07-400(2)(b)(iii), subject to appropriate limitations imposed in accordance  
6 with the Presiding Officer’s discretion. Otherwise, Waste Management does not agree with or adopt  
7 Paragraph 2 and in particular disagrees that WAC 480-07-400(b)(ii) applies because this proceeding  
8 should not be used as a forum for making “precedential” determinations about commercial recycling.

9           3.       In response to Paragraph 3, Waste Management agrees that discovery in this proceeding  
10 is proper subject to WAC 480-07-400 through -425 and subject to the Presiding Officer’s discretion.  
11 Waste Management reserves the right to object to the specific discovery requested by Stericycle.

12           4.       In response to Paragraph 4, Waste Management does not object to phased discovery.

13           5.       In response to Paragraph 5, Stericycle’s deposition(s) of Waste Management  
14 representatives should be limited to a combined total of seven hours. Otherwise, Waste Management  
15 has no objection to Paragraph 5.

16           6.       Waste Management has no objection to Paragraph 6.

17           7.       In response to Paragraph 7, Waste Management responds that any third-party subpoenas  
18 should be issued only subject to permission from the Presiding Officer. Third-party depositions should  
19 be scheduled at a time and place to be reasonably agreed to by the parties and the witnesses. Waste  
20 Management takes no position on the other contentions set forth in Paragraph 7.

21           8.       Waste Management has no objection to Paragraph 8.

22           9.       Waste Management has no objection to Paragraph 9.

23           10.      It is Waste Management’s position that the discovery topics reflected in Paragraph 10  
24 should be limited to Waste Management customers to whom Waste Management has (1) solicited,  
25 offered or provided commercial recycling services **and** (2) solicited, offered or provided regulated  
26 biomedical waste services.

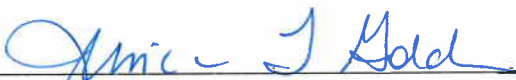
1 11. In response to Paragraph 11, it is Waste Management's position that discovery regarding  
2 any additional topics should be conducted only by agreement of the parties or with the approval of the  
3 Presiding Officer.

4 12. It is Waste Management's position that the discovery topics reflected in Paragraph 12  
5 should be limited to Waste Management of Washington, Inc., the only Waste Management entity before  
6 the Commission.

7 13. In response to Paragraph 13, it is Waste Management's position that discovery regarding  
8 any additional topics should be conducted only by agreement of the parties or with the approval of the  
9 Presiding Officer.

10 DATED this 5th day of March, 2013.

11 SUMMIT LAW GROUP PLLC

12 By 

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14 Jessica L. Goldman, WSBA #21856  
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16 jessicag@summitlaw.com

17 *Attorneys for Waste Management of*  
18 *Washington, Inc. d/b/a WM Healthcare*  
19 *Solutions of Washington, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that I have this day served this document upon all parties of record in this proceeding, by the method indicated below, pursuant to WAC 480-07-150.

Table with 2 columns: Recipient Information and Service Method. Rows include Washington Utilities and Transportation Commission, Adam E. Torem, Steven W. Smith, Stephen B. Johnson, Jared Van Kirk, Garvey Schubert Barer, James K. Sells, and Attorneys for Stericycle of Washington, Inc.

DATED at Seattle, Washington, this 5th day of March, 2013.

Handwritten signature of Kathy Moll over a horizontal line.