- 1. Waste Management of Washington, Inc. d/b/a WM Healthcare Solutions of Washington ("Waste Management") submits below its response to Stericycle of Washington, Inc.'s Proposed Discovery Plan.
- 2. In response to Paragraph 2, Waste Management agrees that discovery in this proceeding is proper under WAC 480-07-400(2)(b)(iii), subject to appropriate limitations imposed in accordance with the Presiding Officer's discretion. Otherwise, Waste Management does not agree with or adopt Paragraph 2 and in particular disagrees that WAC 480-07-400(b)(ii) applies because this proceeding should not be used as a forum for making "precedential" determinations about commercial recycling.
- 3. In response to Paragraph 3, Waste Management agrees that discovery in this proceeding is proper subject to WAC 480-07-400 through -425 and subject to the Presiding Officer's discretion. Waste Management reserves the right to object to the specific discovery requested by Stericycle.
 - 4. In response to Paragraph 4, Waste Management does not object to phased discovery.
- 5. In response to Paragraph 5, Stericycle's deposition(s) of Waste Management representatives should be limited to a combined total of seven hours. Otherwise, Waste Management has no objection to Paragraph 5.
 - 6. Waste Management has no objection to Paragraph 6.
- 7. In response to Paragraph 7, Waste Management responds that any third-party subpoenas should be issued only subject to permission from the Presiding Officer. Third-party depositions should be scheduled at a time and place to be reasonably agreed to by the parties and the witnesses. Waste Management takes no position on the other contentions set forth in Paragraph 7.
 - 8. Waste Management has no objection to Paragraph 8.
 - 9. Waste Management has no objection to Paragraph 9.
- 10. It is Waste Management's position that the discovery topics reflected in Paragraph 10 should be limited to Waste Management customers to whom Waste Management has (1) solicited, offered or provided commercial recycling services **and** (2) solicited, offered or provided regulated biomedical waste services.

- 11. In response to Paragraph 11, it is Waste Management's position that discovery regarding any additional topics should be conducted only by agreement of the parties or with the approval of the Presiding Officer.
- 12. It is Waste Management's position that the discovery topics reflected in Paragraph 12 should be limited to Waste Management of Washington, Inc., the only Waste Management entity before the Commission.
- 13. In response to Paragraph 13, it is Waste Management's position that discovery regarding any additional topics should be conducted only by agreement of the parties or with the approval of the Presiding Officer.

DATED this 5th day of March, 2013.

SUMMIT LAW GROUP PLLC

By

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Attorneys for Waste Management of Washington, Inc. d/b/a WM Healthcare 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.

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

Kathy Moll

WASTE MANAGEMENT'S RESP. TO STERICYCLE'S PROPOSED DISCOVERY PLAN - 3

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