



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
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(360) 664-1160 • www.utc.wa.gov

February 6, 2014

**NOTICE OF OPPORTUNITY TO RESPOND TO MOTION TO STRIKE
(Due by Wednesday, February 12, 2014)**

RE: *Washington Utilities and Transportation Commission, Complainant, v. Waste Management of Washington, Inc., d/b/a Waste Management – Northwest, Waste Management – South Sound and Waste Management of Seattle, and Waste Management – Sno-King, G-237, Respondent, Dockets TG-120840, TG-120842, and TG-120843,*

and

Washington Utilities and Transportation Commission, Complainant, v. Rabanco, Ltd., d/b/a Container Hauling, Eastside Disposal, Rabanco Companies, Rabanco Connections, Lynnwood Disposal, Allied Waste Services of Klickitat County, Tri-County Disposal, Allied Waste Service of Kent & Rabanco Companies, and Seatac Disposal, G-12, Respondent, Dockets TG-121366, TG-121367, TG-121369, TG-121370, and TG-121371

TO ALL PARTIES:

On January 31, 2014, Waste Management of Washington, Inc., d/b/a Waste Management –Northwest, Waste Management –South Sound and Waste Management of Seattle, and Waste Management –Sno-King (Waste Management), filed a response to Bench Request No. 5 (Response) with the Washington Utilities and Transportation Commission (Commission). The Commission’s regulatory staff (Staff) filed an Objection and Motion to Strike Waste Management’s Response (Motion) on February 5, 2014.

Staff argues that Waste Management’s Response contains “opinions, legal analysis, [and] recommendations” which the Commission did not ask for in its Bench Request.¹ As a

¹ Staff’s Motion, ¶ 7.

portion of Waste Management's filing "goes well beyond answering the straightforward, quantitative questions directly presented by the Commission," Staff requests that the Commission strike that information from the record.² Specifically, Staff asks that the company's Response from page 2, line 19 through page 3, line 11 and page 4, line 8 through page 4, line 24 be stricken.³ In the alternative, Staff requests the opportunity to reply to Waste Management's Response.⁴

NOTICE IS HEREBY GIVEN That parties who wish to respond to Staff's Objection and Motion to Strike must do so by 5:00 p.m., Wednesday, February 12, 2014.

MARGUERITE FRIEDLANDER
Administrative Law Judge

cc: All Parties

² *Id.*, ¶ 9. (Emphasis in original).

³ *Id.*, ¶¶ 9 and 10.

⁴ *Id.*, ¶ 11.