Service Date: March 19, 2025

BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Application of DTG Enterprises Inc. d/b/a DTG Recycle For Authority to Operate as a Solid Waste Collection Company in Washington	DOCKET TG-240584 ORDER 03 GRANTING MOTION TO SUSPEND

BACKGROUND

1 On August 5, 2024, DTG Enterprises Inc. d/b/a DTG Recycle (DTG or Applicant) filed with the Washington Utilities and Transportation Commission (Commission) an application for authority to operate as a solid waste collection company in Washington (Application). DTG subsequently filed updates to its Application on August 8, 2024, and September 27, 2024.

2 On September 24, 2024, Sanitary Service Company, Inc. and Waste Connections of Washington, Inc. (and its subsidiaries) filed protests to the Application. On September 25, 2024, Basin Disposal, Inc. and Bainbridge Disposal, Inc. filed protests to the Application. Also on September 25, 2024, Washington Refuse and Recycling Association filed a petition to intervene in this matter. On September 26, 2024, Rabanco LTD, Kent Meridian Disposal Co., Waste Management of Washington, Inc., Torre Refuse Recycling LLC, and Rubatino Refuse Removal LLC also filed protests to the Application.

3 On October 30, 2024, the Commission held a telephonic prehearing conference before Administrative Law Judge Bijan Hughes.

4 On December 5, 2024, the Commission entered Order 01, Prehearing Conference Order.

5 On January 16, 2025, Public Counsel emailed counsel for DTG and stated that they do not oppose suspension of this docket.[1]

6 On January 17, 2025, counsel for Waste Management of Washington, Inc. sent a letter to the presiding officer indicating that it did not oppose the suspension of this docket.[2]

7 On January 17, 2025, counsel for Rubatino Refuse Removal, LLC and Torre Refuse Recycling sent a letter to the presiding officer indicating that they did not object to suspension of this docket, pending the resolution of the related complaint against DTG in Docket TG-240761 (Complaint Docket), provided that the Complaint Docket was consolidated with this docket.[3]

8 On January 17, 2025, counsel for Commission Staff emailed the presiding officer stating that they did not object to suspending this docket, provided that the Complaint Docket was consolidated with this docket.[4]

9 On January 17, 2025, counsel for Waste Connections of Washington, Inc. (and its subsidiaries), Basin Disposal, Inc., Bainbridge Disposal, Inc., Rabanco LTD, Kent Meridian Disposal Co., and Sanitary Service Company, Inc. sent a letter to the presiding officer. The letter stated that counsel did not object to suspending the proceedings in this docket, pending the resolution of the Complaint Docket, provided that the Complaint Docket was consolidated with this docket.[5]

10 On January 17, 2025, counsel for Washington Refuse and Recycling Association sent a letter to the presiding officer stating that they did not oppose suspension, provided that both DTG and Staff stipulate to consolidating this docket with the Complaint Docket.[6]

11 On January 21, 2025, DTG filed a Motion to Suspend or Alternatively Withdraw Application (Motion) in this docket. DTG argues that there is a presumption in favor of suspension or withdrawal for Commission proceedings and applications, provided that suspension or withdrawal is not inconsistent with the public interest or the Commission's

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[1] DTG's Motion to Suspend or Alternatively Withdraw Application (Motion) at 3-4 ¶ 10.

[2] Letter from Walker Stanovsky to Judge Bijan Hughes (Jan. 17, 2025).

[3] Letter from Reid G. Johnson to Judge Bijan Hughes (Jan. 17, 2025).

[4] Email correspondence from Lisa W. Gafken to Judge Bijan Hughes (Jan. 17, 2025).

[5] Letter from David W. Wiley to Judge Bijan Hughes (Jan. 17, 2025).

[6] Letter from Rod Whittaker to Judge Bijan Hughes (Jan. 17, 2025).

administrative needs.[7] DTG further asserts that none of the other parties have argued that suspension or withdrawal would be contrary to the public interest or otherwise impede administrative efficiency.[8] DTG contends that suspension would promote administrative efficiency because the resolution of the Complaint Docket may have a determinative effect on this docket and suggests that DTG will be prejudiced if it is required to proceed in both dockets concurrently.[9] Additionally, DTG maintains that making suspension of this proceeding contingent on consolidating this docket with the Complaint Docket or allowing intervention in the Complaint Docket is unwarranted because consolidation would be prejudicial to DTG and intervention should only be granted if an intervenor satisfies the standard for intervention.[10] Finally, DTG states that it should alternatively be allowed to withdraw its application so as to conserve resources and avoid prejudice to DTG.[11]

DISCUSSION

12 Pursuant to Washington Administrative Code (WAC) 480-07-385(2)(b), the Commission will grant a request to suspend a proceeding unless the request is inconsistent with the public interest or the Commission's administrative needs. The Commission finds that the Company's request to suspend the proceedings in this docket is not inconsistent with the public interest or the Commission's administrative needs, because the proceedings in the Complaint Docket may have a determinative effect on the issues presented in this docket. Suspending this proceeding pending the resolution of the Complaint Docket may result in more efficient use of the Commission's administrative resources and promote efficiency. Additionally, the Commission declines to condition suspension on the consolidation of this docket with the Complaint Docket or on the grant of intervention to the parties participating in this docket, as those issues will be addressed in the Complaint Docket. Consequently, the Commission grants DTG's motion to suspend this proceeding pending resolution of the Complaint Docket.

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[7] DTG's Motion at 4-5 ¶¶ 11-12.

[8] DTG's Motion at 5-6 ¶ 14.

[9] DTG's Motion at 6 ¶ 15.

[10] DTG's Motion at 6-8 ¶¶ 17-21.

[11] DTG's Motion at 8-9 ¶¶ 22-24.

ORDER

13 DTG's motion to suspend Docket TG-240584 is GRANTED.

14 All dates contained in the procedural schedule are cancelled pending resolution of the Complaint Docket.

15 Docket TG-240584 is suspended pending the resolution of Docket TG-240761.

16 DTG Enterprises Inc. d/b/a DTG Recycle shall submit an update to the presiding officer in this docket within 45 days of a final order being issued in Docket TG-240761 notifying the presiding officer of whether a prehearing conference in this docket is required and proposing a date for the prehearing conference if needed.

DATED at Lacey, Washington, and effective March 19, 2025.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ *Harry Fukano*
HARRY FUKANO
Administrative Law Judge

NOTICE TO PARTIES: This is an Interlocutory Order of the Commission. Administrative review may be available through a petition for review, filed within 10 days of the service of this Order pursuant to *WAC 480-07-810*.