

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

<p>WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,</p> <p>Complainant,</p> <p>vs.</p> <p>POINTS RECYCLING AND REFUSE, LLC,</p> <p>Respondent.</p>	<p>Docket No. TG-080913 (consolidated)</p>
<p>*****</p> <p>WHATCOM COUNTY,</p> <p>Complainant,</p> <p>vs.</p> <p>POINTS RECYCLING AND REFUSE, LLC,</p> <p>Respondent.</p>	<p>Docket No. TG-081089 (consolidated)</p>
<p>*****</p> <p>RENEE COE, SHELLEY DAMEWOOD and SHANNON TOMSEN,</p> <p>Complainants,</p> <p>vs.</p> <p>POINTS RECYCLING AND REFUSE, LLC and WHATCOM COUNTY,</p> <p>Respondents.</p>	<p>Docket No. TG-082129 (consolidated)</p>
<p>*****</p> <p>POINTS RECYCLING AND REFUSE, LLC and WHATCOM COUNTY,</p> <p>Respondents.</p>	<p>JON HUTCHINGS' DECLARATION RE: MEDIATION CONFIDENTIALITY AGREEMENT</p>

Pursuant to this Commission's Notice of March 30, 2009, I, Jon Hutchings, submit the following Declaration:

I am over the age of eighteen and otherwise competent to make this Declaration.

I am the Assistant Director of Public Works for Whatcom County.

On March 25, 2009, I spoke with a reporter from the All Points Bulletin. I stated that I was not in a position to discuss the mediation due to the confidentiality agreement, and did not discuss the mediation with her any further. The reporter informed me that she had in her possession the judge's written summary of the mediation. She did not tell me from whom she had received the document. I then related the substance of this conversation to legal counsel for Whatcom County, Daniel Gibson, immediately after it occurred due to my concern about the apparent breach by someone of the confidentiality requirements for the mediation.

I certify under penalty of perjury, under the laws of the State of Washington, that the above is a true and correct statement.

DATED this 3rd day of April, 2009.



JON HUTCHINGS
Assistant Director of Public Works
Whatcom County

CERTIFICATE OF SERVICE

I hereby certify that on April 3rd, 2009, I caused to be served the original and five (5) copies of the foregoing document to the following address via first class mail to:

Dave Danner, WUTC Executive Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. S.W.
PO Box 47250
Olympia, WA 98504-7250

I certify that I also provided to the Washington Utilities and Transportation Commission's Secretary an official electronic file containing the foregoing document via email to: records@wutc.wa.gov.

I certify that I have electronically sent a PDF version of the foregoing document to:

The Honorable Marguerite E. Friedlander
Administrative Law Judge
mrussell@utc.wa.gov

and electronic PDF and hard copies to:

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I swear under the penalty of perjury under the laws of the State of Washington
that the foregoing is true and correct.

DATED at Bellingham, WA this 3rd day of April, 2009.



TARA D. ADRIAN