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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
OPPOSITION TO STERICYCLE'S
PETITION FOR REVIEW OF ORDER 05**

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I. RELIEF REQUESTED

1. Respondent Waste Management of Washington, Inc. (“Waste Management”) requests that the Commission deny Stericycle of Washington, Inc.’s (“Stericycle”) petition for interlocutory review of Order 05.

II. ARGUMENT

2. Stericycle, again, demonstrates its inability to take “no” for an answer and its litigation strategy of burdening the Commission’s and Waste Management’s resources in discovery battles which are not in the “public interest” which, incredibly, Stericycle argues that it serves here.¹

3. Stericycle filed its Motion for Third-Party Discovery on July 19, 2013 *after* Waste Management had supplied detailed written responses to Stericycle’s discovery requests,² produced over 400 pages of documents in addition to the documents Waste Management produced last year in the application proceeding,³ and made available Waste Management employee Jeff Norton for a lengthy deposition on July 17, 2013 as requested by Stericycle.⁴

4. Stericycle has not identified any *newly available* information which has come to light since it filed its initial Motion and which could justify requiring Waste Management and the Commission to again address the same request for discovery from third-party Northwest Hospital. Moreover, as was the case in the first go-round, Stericycle still has not provided notice to Northwest Hospital of Stericycle’s attempt to force that waste generator to participate in Stericycle’s relentless battle against a competitor. Thus, again, Northwest Hospital has been afforded no opportunity to oppose the twice-requested subpoenas.

5. Waste Management respectfully requests that the Commission reject Stericycle’s Motion for Reconsideration.

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¹ Stericycle’s Mot’n for Reconsid. at 8:22.

² Decl. of Jessica L. Goldman in Opp’n to Stericycle’s Mot’n for Third Party Disc (filed 7/26/13), Ex. 1.

³ *Id.*, Ex. 2.

⁴ *Id.*, Ex. 3.

1 DATED this 5th day of September, 2013.

2 SUMMIT LAW GROUP PLLC

3
4 By 

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10 *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.

Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. SW PO Box 47250 Olympia, WA 98504-7250 360-664-1160 records@utc.wa.gov	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Email
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James K. Sells 3110 Judson Street Gig Harbor, WA 98335 (360) 981-0168 jamessells@comcast.net cheryls@rsulaw.com <i>Attorneys for Washington Refuse and Recycling Association</i>	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email

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


 Katie Angelikis