

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

STERICYCLE OF WASHINGTON,)	DOCKET TG-121597
INC.,)	
)	ORDER 07
Complainant,)	
)	
v.)	ORDER GRANTING MOTION TO
)	WITHDRAW COMPLAINT
WASTE MANAGEMENT OF)	
WASHINGTON, INC., d/b/a WM)	
HEALTHCARE SOLUTIONS OF)	
WASHINGTON,)	
)	
Respondent.)	
.....)	

BACKGROUND

- 1 On October 3, 2012, Stericycle of Washington, Inc. (Stericycle) filed with the Washington Utilities and Transportation Commission (Commission) a complaint and petition for declaratory relief filed by against Waste Management of Washington, Inc. d/b/a WM Healthcare Solutions of Washington (Waste Management).
- 2 In early 2013, the Commission denied both parties’ competing dispositive motions¹ and adopted a discovery plan.² Later in 2013, the Commission denied Stericycle’s requests to conduct third party discovery.³
- 3 On February 11, 2014, the Commission conducted an informal status conference with the parties to discuss a procedural schedule. The parties agreed that setting a date for an evidentiary hearing in May 2014 was appropriate, subject to witness availability.

¹ Order 02, Order Denying Waste Management’s Motion to Dismiss; Denying Stericycle’s Motion for Summary Determination; Denying Waste Management’s Motion for Summary Determination (January 4, 2013); *see also* Order 03, Order Denying Petition for Interlocutory Review of Order 02 (February 4, 2013).

² Order 04, Order Authorizing and Limiting Discovery (March 8, 2013).

³ Order 05, Order Denying Stericycle’s Motion for Third Party Discovery (August 16, 2013); *see also* Order 06, Order Denying Motion for Review of Order 05 (December 12, 2013).

MOTION TO WITHDRAW

- 4 On February 24, 2014, Stericycle filed a Motion to Withdraw Complaint. Stericycle states that it no longer wishes to pursue its complaint in an administrative forum. Stericycle explained that it believes Waste Management has not expanded the business practices that were the subject of the formal complaint. Given that, Stericycle seeks to avoid further disrupting business operations or incurring additional costs involved in the hearing process.
- 5 No party opposes Stericycle's motion to withdraw the complaint and terminate proceedings in this docket.

DISCUSSION

- 6 WAC 480-07-380(3) provides that once the Commission has commenced an adjudicative proceeding, a party may withdraw from a proceeding only upon permission granted by the Commission. The Commission will grant a party's motion to withdraw if it is in the public interest.
- 7 Stericycle no longer seeks relief from the Commission. The public interest is served by allowing a complaining party to withdraw when further litigation on the issue presented would be unproductive. After fully considering the rulings previously entered, Commission sees no value in prolonging this matter. Closing this docket in the public interest. The Commission should grant Stericycle's motion.

ORDER

- 8 (1) Stericycle's motion to withdraw its complaint is granted.
- 9 (2) Docket TG-121597 is closed.

Dated at Olympia, Washington, and effective February 25, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

ADAM E. TOREM
Administrative Law Judge