

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MURREY'S DISPOSAL COMPANY, INC.,

Complainant,

v.

WASTE MANAGEMENT OF WASHINGTON,
INC., WASTE MANAGEMENT DISPOSAL
SERVICES OF OREGON, INC., AND MJ
TRUCKING & CONTRACTING, INC.,

Respondents.

DOCKET TG-200650

ANSWER OF MJ TRUCKING &
CONTRACTING, INC. TO
COMPLAINT OF MURREY'S
DISPOSAL COMPANY, INC.

1 Respondent MJ Trucking & Contracting, Inc., ("MJ") answers Complainant Murrey's Disposal
Company Inc.'s ("Murrey's") Complaint and asserts affirmative or other defenses as follows:

JURISDICTION

2 Answering the allegations in Paragraph 2, MJ denies that the Commission has jurisdiction over it
or over the activities described in the Complaint.

PARTIES

3 On information and belief, MJ admits that the Complainant holds WUTC Certificate G-009. As
to what WUTC Certificate G-009 authorizes, it speaks for itself.

4 MJ is without sufficient knowledge to admit or deny the statements set forth in Paragraph 4 and
therefore denies the same.

5 MJ is without sufficient knowledge to admit or deny the statements set forth in Paragraph 5 and
therefore denies the same.

6 MJ is without sufficient knowledge to admit or deny the statements set forth in Paragraph 6 and
therefore denies the same.

7 MJ is without sufficient knowledge to admit or deny the statements set forth in Paragraph 7 and
therefore denies the same.

- 8 Admit.
- 9 MJ is without sufficient knowledge to admit or deny the statements set forth in Paragraph 9 and therefore denies the same.
- 10 MJ admits that it has contracted with WMDSO to transport solid waste from McKinley for disposal. To the extent that Paragraph 10 contains factual allegations not expressly admitted, MJ denies those allegations.
- 11 MJ is without sufficient knowledge to admit or deny the statements set forth in Paragraph 11 and therefore denies the same.
- 12 MJ admits that it contracts with WMDSO to transport solid waste from industrial paper mills to the Olympic View Transfer Station in Port Orchard, Washington and to North Mason Fiber in Mason County. To the extent that Paragraph 12 contains factual allegations not expressly admitted, MJ denies those allegations.
- 13 MJ is without sufficient knowledge to admit or deny the statements set forth in Paragraph 13 and therefore denies the same.
- 14 MJ admits that it provides shipping papers, including waste profile numbers, for the transportation from the paper mill to the Olympic View Transfer Station in Kitsap County, Washington. To the extent that Paragraph 14 contains factual allegations not expressly admitted, MJ denies those allegations.
- 15 MJ is without sufficient knowledge to admit or deny the statements set forth in Paragraph 15 and therefore denies the same.

BASIS FOR COMPLAINT

- 16 The allegations in Paragraph 16 consist of statements of law for which no answer is required. To the extent an answer is required, MJ denies the allegations in Paragraph 16.

- 17 The allegations in Paragraph 17 consist of statements of law for which no answer is required. To the extent an answer is required, MJ denies the allegations in Paragraph 17.
- 18 The allegations in Paragraph 18 consist of statements of law for which no answer is required. To the extent an answer is required, MJ denies the allegations in Paragraph 18.
- 19 MJ admits that WMW held itself out as a solid waste collection company and admits that WMDSO contracted with McKinley to provide solid waste transportation and disposal services in Clallam County, Washington. To the extent that Paragraph 19 contains factual allegations not expressly admitted, MJ denies those allegations.
- 20 Denied.
- 21 Denied.
- 22 MJ is without sufficient knowledge to admit or deny the statements set forth in Paragraph 22 and therefore denies the same.
- 23 The allegations in Paragraph 23 consist of statements of law for which no answer is required. To the extent an answer is required, MJ denies the allegations in Paragraph 23.
- 24 Answering the allegations in Paragraph 24, no facts are alleged for which an answer is required. MJ agrees that the Complaint should be resolved in a consolidated proceeding. MJ denies each and every other allegation in Paragraph 24.
- 25 The allegations in Paragraph 25 consist of statements of law for which no answer is required. To the extent an answer is required, MJ denies the allegations in Paragraph 25.
- 26 Paragraph 26 contains a prayer for relief for which no answer is required. To the extent an answer is required, MJ denies that Complainant is entitled to any relief.

AFFIRMATIVE AND OTHER DEFENSES

27 By way of further answer and without admitting any allegations previously denied, MJ asserts
the following affirmative and other defenses, subject to supplementation, modification, or
withdrawal pending further discovery:

28 Complainant fails to state a claim upon which relief may be granted.

29 The Commission lacks jurisdiction to resolve this dispute.

PRAYER FOR RELIEF

30 WHEREFORE, MJ Trucking requests:

31 That the Commission dismiss Complainant's Complaint with prejudice; and

32 That the Commission grant such other or further relief as is just and equitable.

RESPECTFULLY SUBMITTED this 4th day of August 2020.

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Contracting, Inc. Respondent*

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding, by the method as indicated below, pursuant to WAC 480-07-150.

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- Via Legal Messenger
- Via Facsimile
- Via U.S. Mail
- Via Email

DATED at Seattle, Washington, this 4th day of August, 2020.

s/Karen Lang
Karen Lang