

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 DANIEL
ANDERSON TRUCKING AND
EXCAVATION, LLC,

Respondents.

DOCKET TG-200651

ANSWER OF DANIEL
ANDERSON TRUCKING AND
EXCAVATION, LLC

1 Respondent Daniel Anderson Trucking and Excavation, LLC (“DAT”) 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, DAT denies that the Commission has jurisdiction over
it or over the activities described in the Complaint.

PARTIES

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

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

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

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

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

8 Admit.

9 DAT is without sufficient knowledge to admit or deny the statements set forth in Paragraph 9
and therefore denies the same.

10 DAT is without sufficient knowledge to admit or deny the statements set forth in Paragraph 10
and therefore denies the same.

11 DAT is without sufficient knowledge to admit or deny the statements set forth in Paragraph 11
and therefore denies the same.

12 DAT is without sufficient knowledge to admit or deny the statements set forth in Paragraph 12
and therefore denies the same.

13 DAT is without sufficient knowledge to admit or deny the statements set forth in Paragraph 13
and therefore denies the same.

14 Denied.

15 DAT is without sufficient knowledge to admit or deny the statements set forth in Paragraph 15
and therefore denies the same.

16 DAT admits that it contracts through Port Townsend Paper Company to transport solid waste
from industrial paper mills to the Olympic View Transfer Station in Port Orchard, Washington.
To the extent that Paragraph 16 contains factual allegations not expressly admitted, DAT is
without sufficient knowledge to admit or deny those allegations and therefore denies the same.

17 DAT is without sufficient knowledge to admit or deny the statements set forth in Paragraph 17
and therefore denies the same.

18 DAT admits that it provides shipping papers, including waste profile numbers, for transportation from the paper mill to the Olympic View Transfer Station in Kitsap County, Washington. To the extent that Paragraph 18 contains factual allegations not expressly admitted, DAT is without sufficient knowledge to admit or deny those allegations and therefore denies the same.

19 DAT is without sufficient knowledge to admit or deny the statements set forth in Paragraph 19 and therefore denies the same.

BASIS FOR COMPLAINT

20 The allegations in Paragraph 20 consist of statements of law for which no answer is required. To the extent an answer is required, DAT denies the allegations in Paragraph 20.

21 The allegations in Paragraph 21 consist of statements of law for which no answer is required. To the extent an answer is required, DAT denies the allegations in Paragraph 21.

22 DAT denies that WMDSO held itself out as a solid waste collection company. To the extent Paragraph 22 contains factual allegations not expressly admitted, DAT is without sufficient knowledge to admit or deny those allegations and therefore denies the same.

23 Denied.

24 Denied.

25 DAT admits that WMW offers solid waste collection service. DAT denies that WMDSO offers solid waste collection service. To the extent that Paragraph 25 contains factual allegations not expressly admitted, DAT denies those allegations.

26 The allegations in Paragraph 26 consist of statements of law for which no answer is required. To the extent an answer is required, DAT denies the allegations in Paragraph 26.

27 Answering the allegations in Paragraph 27, no facts are alleged for which an answer is required.
DAT agrees that the Complaint should be resolved in a consolidated proceeding. DAT denies
each and every other allegation in Paragraph 27.

28 The allegations in Paragraph 28 consist of statements of law for which no answer is required. To
the extent an answer is required, DAT denies the allegations in Paragraph 28.

29 Paragraph 29 contains a prayer for relief for which no answer is required. To the extent an
answer is required, DAT denies that Complainant is entitled to any relief.

AFFIRMATIVE AND OTHER DEFENSES

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

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

32 The Commission lacks jurisdiction to resolve this dispute.

PRAYER FOR RELIEF

33 WHEREFORE, DAT requests:

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

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

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RESPECTFULLY SUBMITTED this 4th day of August 2020.

SUMMIT LAW GROUP PLLC

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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