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**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

In Re Application of

**WASTE MANAGEMENT OF  
WASHINGTON, INC.  
d/b/a WM Healthcare Solutions  
of Washington  
720 4th Ave. Ste 400  
Kirkland, WA 98033-8136**

Docket No. TG-120033

**DECLARATION OF MICHAEL PHILPOTT  
IN OPPOSITION TO WASTE  
MANAGEMENT'S MOTION TO COMPEL  
DISCOVERY**

I, Michael Philpott, declare as follows:

1. I make this declaration based on my personal knowledge. I am over the age of 18 and competent to testify to the matters addressed herein.

2. I am the Regional Operations Director for Stericycle of Washington, Inc. ("Stericycle"). I have been employed by Stericycle in this and related positions since 1999. Prior to joining Stericycle, I had been employed by BFI Medical Waste Services of Washington, Inc. ("BFI"), another company engaged in the collection and transportation of biomedical waste in Washington, since 1995. BFI acquired the business and operations of American Environmental Management Corporation.

DECLARATION OF MICHAEL PHILPOTT IN OPPOSITION TO  
WASTE MANAGEMENT'S MOTION TO COMPEL DISCOVERY

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**GARVEY SCHUBERT  
BARER**  
A PARTNERSHIP OF PROFESSIONAL  
CORPORATIONS  
eighteenth floor  
1191 second avenue

1           3.       It has been part of my responsibilities since 1995, first with BFI and then with  
2 Stericycle, to closely monitor other companies engaged in the collection and transportation of  
3 biomedical waste for Washington generators.

4           4.       When Stericycle entered the market in Washington, it filed a tariff with the  
5 Washington Utilities and Transportation Commission that generally matched the rates then  
6 contained in BFI's tariff. When I began working for BFI, the BFI and Stericycle rates were  
7 substantially the same as BFI's rates. Since 1995, various companies in addition to Stericycle  
8 (including BFI and Waste Management) have offered biomedical waste collection services in  
9 different areas of this state at generally similar, often identical, tariff rates.

10          5.       Stericycle has continued to operate under its Tariff No. 1 since at least 1995 at  
11 substantially the same rates per gallon, although its container offerings have changed from time  
12 to time. The Commission limits the profits of solid waste collection companies so there is no  
13 incentive to earn profits in excess of what the Commission deems permissible. Stericycle's  
14 profits have generally been within the range permitted by the Commission. Although many of  
15 Stericycle's costs have increased since 1995, Stericycle has not found it necessary to date to  
16 raise its base tariff rates because of the increased efficiency of its operations and the growth of  
17 its business. Stericycle now serves more than 7,000 customers throughout Washington.

18          6.       Stericycle's parent corporation, Stericycle, Inc., operates a national customer  
19 service 800-number call center that fields inquiries and services requests from Stericycle's  
20 more than 7,000 customers in Washington, as well as potential customers. The call center  
21 treats all calls as service requests. The call center does not track "customer complaints." There  
22 are many hundreds of calls to the call center every year from Washington customers and  
23 potential customers.

24          7.       Stericycle's local office in Kent, Washington and its account managers also  
25 receive customer service inquiries. Stericycle does not log or record these inquiries or identify  
26 or track any category of these inquiries as "customer complaints."

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8. In addition to my role with Stericycle, I also have supervisory responsibility for Stericycle, Inc.'s Morton biomedical waste processing facility. There have been no violations of law, alleged violations of law or investigations involving an alleged violation of law involving Stericycle, Inc.'s Morton processing facility since January 1, 2009, except as reflected in the Washington Department of Ecology's Notice to Comply, dated July 6, 2010, an Administrative Order issued by the Department of Ecology, dated December 19, 2011 (Docket No. 8929), and an Amended Administrative Order, dated April 25, 2012 (Docket No. 9142).

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct to the best of my knowledge and belief.

EXECUTED this 6<sup>TH</sup> day of August, 2012 at Kent, Washington

  
\_\_\_\_\_  
Michael Philpott

CERTIFICATE OF SERVICE

I, Vickie L. Owen, certify under penalty of perjury under the laws of the State of Washington that, on August 6, 2012, I caused to be served on the person(s) listed below in the manner shown a copy of DECLARATION OF MICHAEL PHILPOTT IN OPPOSITION TO WASTE MANAGEMENT'S MOTION TO COMPEL DISCOVERY:

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Frona Woods  
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[BDeMarco@utc.wa.gov](mailto:BDeMarco@utc.wa.gov)

- Via Legal Messenger
- Via Facsimile
- Via U.S. Mail, First Class,  
Postage Prepaid
- Via Email

Dated at Seattle, Washington this 6<sup>th</sup> day of August, 2012.

  
 \_\_\_\_\_  
 Vickie L. Owen  
[vowen@gsblaw.com](mailto:vowen@gsblaw.com)