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BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the Proper	)	DOCKET NO. TG-200131
Carrier Classification of, and Complaint	)	
for Penalties Against:	)	DECLARATION OF
	)	THOMAS R. BENKE
INTERNATIONAL RESOURCE	)	IN SUPPORT OF MOTION
MANAGEMENT, INC. D/B/A	)	FOR CONTINUANCE
WASTEXPRESS AND D/B/A	)	
WASTEXPRESS HAZARDOUS WASTE	)	
DISPOSAL	)	

I, Thomas R. Benke, depose and declare as follows:

1. I am counsel for International Resource Management, Inc. dba WasteXpress dba WasteXpress Hazardous Waste Disposal in the above stated matter.
2. I also represent appellant in the matter of Hayes Oyster Company v. Department of Environmental Quality at the Oregon Court of Appeals, A171318. That matter has been scheduled to be submitted on briefs to the Court of Appeals on August 20, 2020. Appellant has been allowed oral argument by videoconference during the morning session on August 20, 2020.
3. By Order 01 of Docket No. TG-200131 the Washington Utilities and Transportation Commission gave notice that it will hold a virtual prehearing conference in that matter at 1:30 PM on August 20, 2020.

1           4.       Under Oregon Court of Appeals rules of practice, counsel is required to be  
2 available to argue at the beginning of the indicated session but may not be called for argument  
3 until somewhat later. I am therefore not certain that I will be available, even for video  
4 conference, for the Pre-Hearing Conference as scheduled.

5           5.       I am further concerned that having to appear in both matters on the same day may  
6 prejudice one or the other of my clients in that it may limit my ability to prepare for each of these  
7 two important hearings.

8           6.       As professional matter, I request on behalf of my client WasteXpress a  
9 continuance of the Pre-Hearing Conference (presently set for August 20, 2020) of at least 14  
10 days.

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12           Dated: July 6, 2020

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Thomas R. Benke, OSB #922251  
The Environmental Compliance Organization LLC  
503-246-1514 / [trbenke@env-compliance.com](mailto:trbenke@env-compliance.com)

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**Docket TG-200131**  
**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served the attached DECLARATION OF THOMAS BENKE IN SUPPORT OF MOTION FOR CONTINUANCE upon the persons and entities listed on the Service List below via electronic mail, addressed as shown below.

DATED July 6, 2020



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/s/ Thomas R. Benke, OSB #922251  
PO Box 83706, Portland, OR 97283  
(503) 246-1514 / trbenke@env-compliance.com

**For Staff of the Washington Utilities and Transportation Commission**

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