## WUTC v. Murrey's Disposal Company, Inc. dba Olympic Disposal

Docket No. TG-230778 - Vol. I

January 24, 2024



206.287.9066 I 800.846.6989



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Page 1
                                                                                                                              Page 3
               BEFORE THE WASHINGTON
                                                                        1
                                                                                       January 24, 2024 | 1.32 p.m.
           UTILITIES AND TRANSPORTATION COMMISSION
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                                                                        3
      WASHINGTON UTILITIES AND
      TRANSPORTATION COMMISSION,
                                                                        4
                                                                                     JUDGE HUGHES: Good afternoon. We're now on
                                                                        5
                                                                              the record. The time is 1:32 p.m. My name is Bijan
          Complainant.
                                                                        6
                                                                              Hughes, and I'm an administrative law judge with the
                       ) DOCKET NO. TG-230778
                                                                        7
                                                                              Washington Utilities and Transportation Committee [sic].
      VS.
                        )
                                                                        8
                                                                                     We're here today for a prehearing conference
      MURREY'S DISPOSAL COMPANY, INC. )
                                                                        9
                                                                              in Docket TG-230778, which is captioned Washington
      d/b/a OLYMPIC DISPOSAL.
                                                                      10
                                                                              Utilities and Transportation Commission v. Murrey's
           Respondent.
                            ) PAGES 1-9
                                                                      11
                                                                              Disposal Company. This conference is a chance for the
                                                                      12
                                                                              parties to state their positions on the petition -- or we
                                                                      13
              PREHEARING CONFERENCE - VOL I
                                                                              don't have a petition for intervention, so it is not that
                                                                      14
                                                                              -- to discuss a procedural schedule.
                 January 24, 2024
                                                                      15
                                                                                     After today's conference, I will enter an
                                                                      16
                                                                              order setting out a procedural schedule and rule on any
          BEFORE ADMINISTRATIVE LAW JUDGE BIJAN HUGHES
                                                                      17
                                                                              petitions that we may get today, and then setting a date,
                                                                      18
                                                                              of course, for the hearing itself.
        Washington Utilities and Transportation Commission
                                                                      19
                                                                                     So we did a roll call, but let's take short
              621 Woodland Square Loop SE
                                                                      20
                                                                              appearances, beginning with staff.
               Lacey, Washington 98504
                                                                      21
                                                                                      ATTORNEY ROBERSON: Good afternoon, Judge
                                                                      22
                                                                              Hughes. Appearing for staff, Jeff Roberson, AAG; with me
                                                                      23
                                                                              at counsel table is my colleague, Colin O'Brien.
                                                                      24
                                                                                      JUDGE HUGHES: Welcome.
      TRANSCRIBED BY: ELIZABETH PATTERSON HARVEY,
                                                                      25
                                                                                      ATTORNEY O'BRIEN: Good afternoon, Judge
               FAPR, RPR, WA CCR 2731
                                                       Page 2
                                                                                                                              Page 4
               APPEARANCES
                                                                             Hughes. Colin O'Brien, AAG, appearing for staff.
                                                                        1
 2
                                                                        2
                                                                                     JUDGE HUGHES: And the company?
      FOR COMMISSION STAFF:
 3
                                                                        3
                                                                                     ATTORNEY WILEY: Hi, your Honor. David
          Jeff Roberson
                                                                        4
                                                                             Wiley, along with my colleague Sean Leake, appearing on
         jeff.roberson@utc.wa.gov
 4
                                                                             behalf of Murrey's Disposal d/b/a Olympic Disposal.
                                                                        5
          Colin O'Brien
 5
         colin.obrien@atg.wa.gov
                                                                        6
                                                                                     JUDGE HUGHES: Okay. So intervention, last
         Office of the Attorney General
                                                                        7
                                                                             time I checked, we did not have a petition for
 6
         Utilities and Transportation Division
         PO Box 40128
                                                                        8
                                                                             intervention. Does anyone wish to intervene that's on
 7
         Olympia, Washington 98504
                                                                        9
                                                                             the call?
         360.664.1188
 8
                                                                      10
                                                                                     Hearing nothing, we will proceed. Would the
      FOR THE RESPONDENT:
 9
                                                                      11
                                                                             parties like to have the discovery rules available? I'll
1.0
         David W. Wiley
         dwiley@williamskastner.com
                                                                      12
                                                                             start with staff.
11
          Sean D. Leake
                                                                      13
                                                                                     ATTORNEY ROBERSON: Yes, Judge Hughes, staff
         sleake@williamskastner.com
                                                                      14
                                                                             would like the tools of discovery.
12
         Williams Kastner & Gibbs, PLLC
         601 Union Street, Suite 4100
                                                                      15
                                                                                     JUDGE HUGHES: Mr. Wiley?
13
          Seattle, Washington 98101
                                                                      16
                                                                                     ATTORNEY WILEY: Yes, the company would as
         206.628.6600
14
                                                                      17
                                                                             well, your Honor.
15
      ALSO PRESENT:
                                                                      18
                                                                                     JUDGE HUGHES: Good. Okay. So discovery
16
         Mark Gingrich
         Joe Wonderlick
                                                                      19
                                                                             will be conducted according to the commission's
17
                                                                      20
                                                                             procedural rules, and I will outline that in the
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19
                                                                       21
                                                                             forthcoming order.
20
                                                                      22
                                                                                     Would the parties like to have a protective
21
22
                                                                      23
                                                                             order? Staff? Or sorry, company first.
23
                                                                      24
                                                                                     ATTORNEY WILEY: Yes, your Honor. The solid
24
                                                                       25
                                                                             waste industry has protection under the statutes, but we
25
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,	Davis 5		Davis 7
	Page 5		Page 7
1	would like a protective order as well.	1	if that works. I can't imagine I have too many things on
2	JUDGE HUGHES: Okay. Any objection?	2	my schedule that far out. So yes, I will memorialize
3	ATTORNEY ROBERSON: None from staff.	3	that in the order if it works. Otherwise, I will reach
4	JUDGE HUGHES: Okay. I will add that to the	4	out as needed.
5	order.	5	Okay. All right. So we're doing
6	Have the parties had an opportunity to	6	post-hearing briefing, so oral arguments.
7	discuss a procedural schedule?	7	Okay. So I'm now going to read some things
8	ATTORNEY ROBERSON: We have, Judge Hughes.	8	that you experienced practitioners probably already know.
9	And I think we largely have agreement. However, public	9	But here we go.
10	counsel has appeared very recently, and I think it would	10	I want to remind the parties that documents
11	be appropriate for us to discuss the schedule with them.	11	should be filed online through the electronic filing link
12	JUDGE HUGHES: Okay. That makes sense. Good	12	on the commission's web page.
13	to hear that we have some progress, though.	13	If the parties intend to submit exhibits,
14	So I'm going to pop off the call to give you	14	there will be requirements for filing exhibits and an
15	an opportunity to do that. Jeff, can you please give me	15	exhibit list in advance of the hearing, which will also
16	a buzz when it's time for me to return or if you	16	be done only electronically. I'll enter a prehearing
17	determine you can't come to an agreement, either way?	17	order with details on this topic.
18	Okay. And good luck. Off the record.	18	Also, the commission rules provide for
19	(Pause in proceedings.)	19	electronic service of documents. The commission will
20	ATTORNEY ROBERSON: As the usual staff	20	serve the parties electronically, and the parties will
21	volunteer, I will do it.	21	serve each other electronically.
22	JUDGE HUGHES: Very good.	22	If you have any corrections or updates for
23	ATTORNEY ROBERSON: So beginning today,	23	master service lists in this docket, please e-mail me at
24	prehearing conference January 24.	24	Bijan.Hughes@utc.wa.gov.
25	Virtual settlement conference would be	25	There anything else we need to address
	D (	1	
	Page 6		Page 8
1	February 2.	1	Page 8 today?
1 2		1 2	
	February 2.		today?
2	February 2.  Company testimony would be due March 8.	2	today? ATTORNEY ROBERSON: Not from staff.
2 3	February 2.  Company testimony would be due March 8.  Response testimony would be due May 29.	2 3	today?  ATTORNEY ROBERSON: Not from staff.  ATTORNEY WILEY: Not from the company as far
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	Page 9	
1	CERTIFICATE	
2		
3	STATE OF WASHINGTON )	
	) ss	
4	COUNTY OF KING )	
5		
6	I, Elizabeth Patterson Harvey, a Certified	
7	Court Reporter and Registered Professional Reporter	
8	within and for the State of Washington, do hereby certify	
9	under penalty of perjury that the foregoing legal	
10	recordings were transcribed under my direction; that I	
11 12	received the electronic recording in the proprietary format; that I am not a relative or employee of any	
13	attorney or counsel employed by the parties hereto, nor	
14	financially interested in its outcome.	
15		
16	IN WITNESS WHEREOF, I have hereunto set my	
17	hand this 5th day of February, 2024.	
18		
19		
20	Elizabet Takke attarni	
21		
22	Elizabeth Patterson Harvey, CCR 2731	
23		
24		
25		

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A	checked 4:7	discovery 4:11,14	format 9:12	<b>Jeff</b> 2:3 3:22 5:15
<b>AAG</b> 3:22 4:1	closer 6:20	4:18 6:6	forthcoming 4:21	jeff.roberson@ut
actual 6:20	<b>Colin</b> 2:4 3:23 4:1	discuss 3:14 5:7,11	G	2:4
add 5:4	colin.obrien@atg	discussed 8:7		<b>Joe</b> 2:16
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