

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

**Docket No. TG-230778 - Vol. I**

**January 24, 2024**



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BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

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WASHINGTON UTILITIES AND )  
TRANSPORTATION COMMISSION, )  
) )  
Complainant, )  
) DOCKET NO. TG-230778  
vs. )  
) )  
MURREY'S DISPOSAL COMPANY, INC. )  
d/b/a OLYMPIC DISPOSAL, )  
) )  
Respondent. ) PAGES 1-9  
)

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PREHEARING CONFERENCE - VOL I

January 24, 2024

BEFORE ADMINISTRATIVE LAW JUDGE BIJAN HUGHES

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Washington Utilities and Transportation Commission  
621 Woodland Square Loop SE  
Lacey, Washington 98504

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TRANSCRIBED BY: ELIZABETH PATTERSON HARVEY,  
FAPR, RPR, WA CCR 2731

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A P P E A R A N C E S

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ALSO PRESENT:

Mark Gingrich  
Joe Wonderlick

1 January 24, 2024 | 1.32 p.m.

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4 JUDGE HUGHES: Good afternoon. We're now on  
5 the record. The time is 1:32 p.m. My name is Bijan  
6 Hughes, and I'm an administrative law judge with the  
7 Washington Utilities and Transportation Committee [sic].

8 We're here today for a prehearing conference  
9 in Docket TG-230778, which is captioned Washington  
10 Utilities and Transportation Commission v. Murrey's  
11 Disposal Company. This conference is a chance for the  
12 parties to state their positions on the petition -- or we  
13 don't have a petition for intervention, so it is not that  
14 -- to discuss a procedural schedule.

15 After today's conference, I will enter an  
16 order setting out a procedural schedule and rule on any  
17 petitions that we may get today, and then setting a date,  
18 of course, for the hearing itself.

19 So we did a roll call, but let's take short  
20 appearances, beginning with staff.

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.

25 ATTORNEY O'BRIEN: Good afternoon, Judge

1 Hughes. Colin O'Brien, AAG, appearing for staff.

2 JUDGE HUGHES: And the company?

3 ATTORNEY WILEY: Hi, your Honor. David  
4 Wiley, along with my colleague Sean Leake, appearing on  
5 behalf of Murrey's Disposal d/b/a Olympic Disposal.

6 JUDGE HUGHES: Okay. So intervention, last  
7 time I checked, we did not have a petition for  
8 intervention. Does anyone wish to intervene that's on  
9 the call?

10 Hearing nothing, we will proceed. Would the  
11 parties like to have the discovery rules available? I'll  
12 start with staff.

13 ATTORNEY ROBERSON: Yes, Judge Hughes, staff  
14 would like the tools of discovery.

15 JUDGE HUGHES: Mr. Wiley?

16 ATTORNEY WILEY: Yes, the company would as  
17 well, your Honor.

18 JUDGE HUGHES: Good. Okay. So discovery  
19 will be conducted according to the commission's  
20 procedural rules, and I will outline that in the  
21 forthcoming order.

22 Would the parties like to have a protective  
23 order? Staff? Or sorry, company first.

24 ATTORNEY WILEY: Yes, your Honor. The solid  
25 waste industry has protection under the statutes, but we

1 would like a protective order as well.

2 JUDGE HUGHES: Okay. Any objection?

3 ATTORNEY ROBERSON: None from staff.

4 JUDGE HUGHES: Okay. I will add that to the  
5 order.

6 Have the parties had an opportunity to  
7 discuss a procedural schedule?

8 ATTORNEY ROBERSON: We have, Judge Hughes.  
9 And I think we largely have agreement. However, public  
10 counsel has appeared very recently, and I think it would  
11 be appropriate for us to discuss the schedule with them.

12 JUDGE HUGHES: Okay. That makes sense. Good  
13 to hear that we have some progress, though.

14 So I'm going to pop off the call to give you  
15 an opportunity to do that. Jeff, can you please give me  
16 a buzz when it's time for me to return or if you  
17 determine you can't come to an agreement, either way?

18 Okay. And good luck. Off the record.

19 (Pause in proceedings.)

20 ATTORNEY ROBERSON: -- As the usual staff  
21 volunteer, I will do it.

22 JUDGE HUGHES: Very good.

23 ATTORNEY ROBERSON: So beginning today,  
24 prehearing conference January 24.

25 Virtual settlement conference would be

1 February 2.

2 Company testimony would be due March 8.

3 Response testimony would be due May 29.

4 Rebuttal and cross-answering testimony would  
5 be due June 28.

6 The discovery deadline would be July 10.

7 Exhibit lists, cross-examination exhibits,  
8 witness list, cross-X time estimates, and exhibit errata  
9 would be due July 19.

10 Fingers crossed, the evidentiary hearing  
11 would be on September 9.

12 Post-hearing briefing would be due October 9.

13 And the suspension date, which Murrey's has  
14 agreed to move, would be due -- would be November 9,  
15 2024.

16 JUDGE HUGHES: Okay.

17 ATTORNEY ROBERSON: And if I may, Judge  
18 Hughes, I'll note one other thing, which is we did not  
19 set a date for the public comment hearing on the 30th.  
20 We would set that closer to any actual (inaudible).

21 JUDGE HUGHES: Okay. So that's --

22 ATTORNEY ROBERSON: Or disposition of this  
23 case, if it's resolved by summary determination or  
24 something like that.

25 JUDGE HUGHES: Okay. Very good. I will see

1 if that works. I can't imagine I have too many things on  
2 my schedule that far out. So yes, I will memorialize  
3 that in the order if it works. Otherwise, I will reach  
4 out as needed.

5 Okay. All right. So we're doing  
6 post-hearing briefing, so oral arguments.

7 Okay. So I'm now going to read some things  
8 that you experienced practitioners probably already know.  
9 But here we go.

10 I want to remind the parties that documents  
11 should be filed online through the electronic filing link  
12 on the commission's web page.

13 If the parties intend to submit exhibits,  
14 there will be requirements for filing exhibits and an  
15 exhibit list in advance of the hearing, which will also  
16 be done only electronically. I'll enter a prehearing  
17 order with details on this topic.

18 Also, the commission rules provide for  
19 electronic service of documents. The commission will  
20 serve the parties electronically, and the parties will  
21 serve each other electronically.

22 If you have any corrections or updates for  
23 master service lists in this docket, please e-mail me at  
24 Bijan.Hughes@utc.wa.gov.

25 There anything else we need to address

1 today?

2 ATTORNEY ROBERSON: Not from staff.

3 ATTORNEY WILEY: Not from the company as far  
4 as I'm aware.

5 JUDGE HUGHES: All right. Very good. So I  
6 will issue an order shortly containing the items that  
7 we've discussed today and other guidelines.

8 But for now, we are adjourned. Thank you.

9 ATTORNEY WILEY: Thank you.

10 (Proceedings concluded at 1:42 p.m.)

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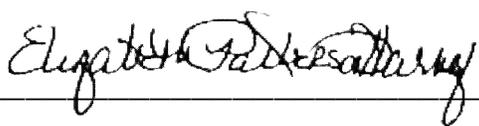
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STATE OF WASHINGTON )  
 ) ss  
COUNTY OF KING )

I, Elizabeth Patterson Harvey, a Certified Court Reporter and Registered Professional Reporter within and for the State of Washington, do hereby certify under penalty of perjury that the foregoing legal recordings were transcribed under my direction; that I received the electronic recording in the proprietary format; that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially interested in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of February, 2024.


Elizabeth Patterson Harvey, CCR 2731