

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

WASTE CONTROL, INC.,

Respondent.

DOCKET TG-140560

AGREED REQUEST FOR
CONTINUANCE

I. JOINT MOTION FOR CONTINUANCE

1 Commission Staff (“Staff”) and Waste Control Inc. (“WCI” or “Company”) hereby
file an agreed request under WAC 480-07-385 to postpone the presently-scheduled hearing
date of September 2, 2014. Staff and the Company (collectively “Parties”) request the
Commission reschedule the evidentiary hearing in Docket TG-140560 for September 17,
2014. The Parties further request that the Commission extend the briefing deadline and/or
format from September 25, 2014, to October 9, 2014.

2 The parties require additional time to review new information provided in WCI’s
rebuttal testimony, pursue potential settlement on the basis of newly-provided information,
and prepare for an evidentiary hearing. Depending on settlement discussions in coming
days, the Parties anticipate that any remaining disputes may be limited solely to legal and
policy interpretations, in which case briefing and supporting testimony could take the place
of a full evidentiary hearing. Staff and the Company are available for a status conference to
discuss the Parties’ agreed request for a continuance and status of contested issues.

II. WAC 480-07-385

3 Under WAC 480-07-385(1)(b), a continuance to which all parties agree is an “agreed
request.” WAC 480-07-385(2) goes on to state “The Commission will grant a timely

request to which all parties expressly agree unless it is inconsistent with the public interest or the commission's administrative needs." Additional time for the Parties to develop informed recommendations and potentially resolve contested issues serves the public interest and avoids unnecessary litigation, time, and expenses.

III. SUMMARY OF PARTIES' POSITIONS AND ARGUMENT

4 In rebuttal testimony presented on August 20, 2014, WCI provided new supporting information. Significant portions of WCI's newly-presented information appear conducive to a potential settlement on multiple contested issues; however, Staff requires additional time to verify the Company's additional supporting information, develop an informed position, and, where feasible, pursue settlement.

5 For example, WCI's rebuttal testimony provided new versions of its Kalama route study, employee health insurance expense, calculation of debt expenses, and an updated cost of living adjustment for employee wages. WCI also presented information to reflect material improvements to two structures and added a leased building in its results of operations. As noted above, significant portions of the Company's newly-presented information appear to support settlement on multiple contested issues. Staff is analyzing this information as quickly as possible; however, seven business days between the Company's rebuttal testimony and the scheduled evidentiary hearing on September 2, 2014, is not a reasonable amount of time for Staff to review new information and adequately prepare for the evidentiary hearing. Therefore, without additional time, Staff and the Company would spend the September 2, 2014, evidentiary hearing date litigating issues to which the Parties may actually agree. Such a scenario would contravene the public interest by wasting Commission resources and adding significant, unnecessary costs for both Parties.

As a result, the Commission should grant the Parties' request for an extension of time to properly review and consider the new information presented in WCI's rebuttal testimony.

IV. PROPOSED SCHEDULE

The Parties agree to the following abbreviated schedule. First, the Company will provide all supporting information by August 28, 2014. Second, Staff will complete a review of WCI's supporting information by September 4, 2014. Third, the Parties will subsequently convene a settlement conference and determine whether to present settlement terms to the Commission. In the event the Parties do not settle or reach only a partial settlement, Staff and the Company request an evidentiary hearing date of September 17, 2014. As noted above, the Parties also request the Commission adjust the briefing deadline and/or format from September 25, 2014, to October 9, 2014.

V. CONCLUSION

6 For the above reasons, Waste Control, Inc. and Commission Staff respectfully request the Commission grant this Joint Motion for a continuance and extend the hearing schedule.

DATED this 28th day of August 2014.

Respectfully submitted,

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