BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,	DOCKET TG-240761
Complainant,	
v.	ORDER 06
DTG ENTERPRISES, INC.,	ORDER GRANTING LEAVE TO FILE REPLY IN SUPPORT OF MOTION FOR LEAVE TO DEPOSE WITNESSES AND CONTINUANCE OF THE CASE SCHEDULE
Respondent.	

BACKGROUND

1   On December 18, 2024, the Washington Utilities and Transportation Commission (Commission) issued a complaint against DTG Enterprises, Inc. (DTG or Company) for violations of state law and administrative rule and noticed a prehearing conference for February 6, 2025.

2   On February 6, 2025, the Commission convened a virtual prehearing conference before Administrative Law Judge Harry Fukano. Subsequently, on March 18, 2025, the Commission issued Order 02, Prehearing Conference Order; Denying Motion to Consolidate. Among other matters, Order 02 established a procedural schedule for this proceeding.

3   On April 29, 2025, Commission staff (Staff) filed its testimony and supporting exhibits with the Commission.

4   On June 17, 2025, the Company filed a Motion for Leave to Depose Witnesses and Continuance of the Case Schedule (Motion).

5   On June 25, 2025, Staff and Rubatino Refuse Removal LLC (Rubatino) filed responses to DTG's Motion.

6   On July 2, 2025, the Company filed a Motion for Permission to File Reply in Support of Motion for Leave to Depose Witnesses and Continuance of the Case Schedule. In its motion, DTG states that good cause exists for the Commission to grant leave to reply

because discovery developments subsequent to filing its Motion provide additional support for its requested continuances and modifications to the procedural schedule.[1] DTG further argues that a reply is warranted to respond to Rubatino's arguments regarding the Company's request to depose Stephan Banchero and to stay its request to depose Banchero.[2]

DISCUSSION

7   WAC 480-07-370(5)(b) provides:

> A party that wishes to reply to an answer or response must file a motion requesting permission to reply within five business days after the respondent serves the answer or response. The motion must explain why a reply is necessary including, but not necessarily limited to, whether the answer or response raises new facts or legal argument requiring a reply. A party should file a proposed reply as an attachment to its motion. The motion is deemed denied unless the commission grants the motion within five business days after the movant files it.[3]

8   Considering this standard, the Commission finds that DTG has established good cause to file a reply to address additional factual developments that have occurred since filing its Motion that could not have reasonably been anticipated and to narrow the scope of the relief originally requested.[4]

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[1] *WUTC v. DTG Enterprises, Inc.*, Docket TG-240761, DTG's Motion for Permission to File Reply in Support of Motion for Leave to Depose Witnesses and Continuance of the Case Schedule at 2-3 ¶ 8.

[2] *WUTC v. DTG Enterprises, Inc.*, Docket TG-240761, DTG's Motion for Permission to File Reply in Support of Motion for Leave to Depose Witnesses and Continuance of the Case Schedule at 3 ¶ 9.

[3] *See also* WAC 480-07-370(5)(a) ("The pleading responding to an answer or response is a reply. A party must not file a reply without permission from the commission, which the commission will grant only upon a showing of good cause.").

[4] *WUTC v. DTG Enterprises, Inc.*, Docket TG-240761, Order 05 at 2 ¶ 8 fn. 4 (July 1, 2025).

ORDER

9   The Commission hereby grants DTG's Motion for Permission to File Reply in Support of Motion for Leave to Depose Witnesses and Continuance of the Case Schedule.

DATED at Lacey, Washington July 10, 2025.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ *Harry Fukano*
Harry Fukano
Administrative Law Judge

NOTICE TO PARTIES: This is an Interlocutory Order of the Commission. Administrative review may be available through a petition for review, filed within 10 days of the service of this Order pursuant to WAC 480-07-810.