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BEFORE THE WASHINGTON STATE

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UTILITIES AND TRANSPORTATION COMMISSION

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WASHINGTON UTILITIES AND) Docket TG-120073
TRANSPORTATION COMMISSION,) Pages 1-7

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)
Complainant,)

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)
HAROLD LEMAY ENTERPRISES,)
INC., d/b/a PIERCE COUNTY)
REFUSE, G-98,)

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)
Respondent.)

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PREHEARING CONFERENCE, VOLUME I

11

Pages 1-7

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ADMINISTRATIVE LAW JUDGE GREGORY J. KOPTA

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1:33 P.M.

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SEPTEMBER 26, 2012

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Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive Southwest
Olympia, Washington 98504-7250

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A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGE:

GREGORY J. KOPTA
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Transportation Commission
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OLYMPIA, WASHINGTON, SEPTEMBER 26, 2012

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1:33 P.M.

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P R O C E E D I N G S

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JUDGE KOPTA: Let's be on the record in Docket

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TG-120073, encaptioned Washington Utilities and Transportation

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Commission versus Harold LeMay Enterprises, Inc., d/b/a Pierce

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County Refuse.

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We are here at a prehearing conference on September

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26, 2012. I am Gregory J. Kopta, the presiding administrative

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law judge in this proceeding.

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Let's start by taking the appearances of the parties

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beginning with the Company.

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MR. WILEY: Good afternoon, Your Honor. Dave Wiley,

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with the law firm of Williams Kastner -- Suite 4100, Two Union

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Square, 601 Union Street, Seattle, 98112 -- appearing today on

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behalf of Respondent, Harold LeMay Enterprises, Inc., d/b/a

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Pierce County Refuse.

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JUDGE KOPTA: Thank you, Mr. Wiley.

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And for Commission Staff?

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MR. TRAUTMAN: Greg Trautman, Assistant Attorney

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General, for Commission Staff.

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JUDGE KOPTA: All right. Is there anyone on the

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bridge line who would like to appear?

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1 Hearing no one, I'm thinking that that probably takes
2 care of the next order of business, which is intervention.

3 There's no one else in the hearing room other than
4 the parties.

5 Is anyone on the bridge line wanting to intervene in
6 this proceeding?

7 Again, hearing nothing, we will assume not.

8 Do the parties anticipate any need for discovery in
9 this proceeding?

10 MR. TRAUTMAN: No, Your Honor.

11 MR. WILEY: Not at this point, Your Honor.

12 JUDGE KOPTA: Okay. Then we will not have the
13 discovery rules available, and that pretty much leads us to the
14 schedule.

15 We currently have a tariff that's been suspended.
16 That suspension expires on the 1st of January, 2013, so whatever
17 schedule we are able to develop, we'll have to either take that
18 into consideration, or will need to waive that deadline.

19 But at this point, we will go off the record to
20 discuss scheduling issues, and anticipate coming back on the
21 record to memorialize whatever we discuss.

22 We're off the record.

23 (Discussion off the record.)

24 JUDGE KOPTA: Let's be back on the record.

25 While we were off the record, we had some discussions

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1 about scheduling.

2 For now, we will leave the suspension deadline in
3 place, and we'll adopt the following briefing dates: October
4 26th for opening briefs; November 9th for simultaneous response
5 briefs; any stipulation as to facts would be provided on October
6 26th, along with the opening briefs. The parties represent at
7 this point that there are no factual disputes, so that's why we
8 are proceeding with just briefing.

9 This issue overlaps with the same issue in Dockets
10 TG-111672, 111674, and 111681. The Commission is inclined to
11 consolidate this docket with those dockets for purposes of
12 briefing and decision.

13 The parties would like to -- or specifically the
14 Company would like to -- Counsel for the Company would like to
15 consult with his client, and we will give until a week from
16 today, which is October 3rd, to lodge any objection to
17 consolidation. Barring any objections, these dockets will be
18 consolidated.

19 The briefing schedule we have adopted in this case is
20 the same as the briefing schedule in that case, and so all we
21 would need to do is enter an order of consolidation, which would
22 be included in the prehearing conference order in this docket.

23 The parties have also agreed to waive an initial
24 order. They will be sending in a letter confirming that waiver
25 to the Records Center, and I believe that sums up of all of the

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1 issues that we have before us today.

2 Anything else?

3 MR. WILEY: No.

4 MR. TRAUTMAN: No, Your Honor.

5 JUDGE KOPTA: All right. Well, then, thank you, and
6 we're off the record.

7 (Proceeding concluded at 1:50 p.m.)

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3 STATE OF WASHINGTON)

) ss

4 COUNTY OF KING)

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6 I, SHELBY KAY K. FUKUSHIMA, a Certified Shorthand Reporter
7 and Notary Public in and for the State of Washington, do hereby
8 certify that the foregoing transcript is true and accurate to
9 the best of my knowledge, skill and ability.

10 IN WITNESS WHEREOF, I have hereunto set my hand and seal
11 this 4th day of October, 2012.

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SHELBY KAY K. FUKUSHIMA, CCR

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18 My commission expires:

June 29, 2013

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