

January 29, 2010

David W. Danner, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P. O. Box 47250
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Waste Management of Washington, Inc. d/b/a Waste Management of Sno-King*
Dockets TG-091933/TG-091945 (*consolidated*)

Dear Mr. Danner:

Enclosed for filing in the above-referenced docket are the original and ten copies of Commission Staff's Response to Waste Management of Washington's Petition for Rule Interpretation and Alternatively for Rule Exemption, and Certificate of Service.

As discussed at the prehearing conference, Ms. McNeill drafted a proposed set of stipulated facts. However, that list included a number of points that, in Staff's view, were beyond the facts that are material to the case and beyond Staff's direct knowledge. Because of the press of time, the parties have not been able to come to an agreement on those stipulated facts. Staff is not convinced that a list of stipulated facts is necessary to the needs of the case. Staff does not dispute the facts that were presented in Waste Management of Washington, Inc.'s original petition and Staff does not expect that the company will dispute the facts presented in the response Staff is filing today. Staff would suggest that, in the unlikely event that a dispute does arise as to a material fact, a quick hearing may be convened to resolve any such disputed fact.

Sincerely,

JONATHAN C. THOMPSON
Assistant Attorney General

JCT/emd
Enclosures
cc: Parties