BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

|  |  |
| --- | --- |
| WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, Complainant,v.WASTE CONTROL, INC., Respondent. | DOCKET TG-140560DECLARATION OF DAVID W. WILEY IN RESPONSE TO COMMISSION STAFF’S MOTION TO STRIKE WASTE CONTROL INC.’S SUPPLEMENTAL TESTIMONY |

1. David W. Wiley hereby declares and states as follows:
2. I am an attorney for Waste Control, Inc. in the above-captioned matter and, in support of Waste Control, Inc.’s Response to Motion to Strike, provide the following:
3. Attached as Exhibit 1 is a true and correct copy of an email exchange between the undersigned and Commission Staff’s lead counsel on this case setting forth the Company’s concerns about a “paper-only” record in response to a circulated draft Joint Motion on October 21, 2014, more than two weeks prior to the submission of the Initial Briefs. The initial draft of the Joint Motion did not include a reference to the filing of supplemental testimony which the Company required.
4. Additionally, on the issue of discrepancy in the parties’ presentation of their quantitative positions on initial briefing on rate case test year utility expense allocation, the undersigned called Staff counsel on Monday, November 10, 2014, (the first business day after Initial Briefs were served and filed), to initially raise the quantitative discrepancy reference in the respective Opening Briefs with Commission Staff counsel. Attached as Exhibit 2 is a true and correct copy of an email of November 12, 2014 from Staff counsel on the subject of the Amended Motion to Include Evidence from TG-131794 in the record but which also responds to contacts and the inquiry from the undersigned which had requested, in part, followup to the utility cost discrepancy reference issue initiated by the Company.

Signed at Seattle, Washington, this 5th day of December, 2014.

 David W. Wiley

**CERTIFICATE OF SERVICE**

 I hereby certify that on December 5, 2014, I served the original and two (2) copies of the foregoing document to the following address via first class mail, postage prepaid to:

 Steven V. King, Executive Director and Secretary

Washington Utilities and Transportation Commission

Attn.: Records Center

P.O. Box 47250

1300 S. Evergreen Park Dr. SW

Olympia, WA 98504-7250

I certify I have also provided to the Washington Utilities and Transportation Commission’s Secretary an official electronic file containing the foregoing document via email to:

records@utc.wa.gov

and an electronic copy via email and first class mail, postage prepaid, to:

|  |  |
| --- | --- |
| Marguerite Friedlander, Administrative Law JudgeWashington Utilities and Transportation CommissionP.O. Box 472501300 S. Evergreen Park Dr. SWOlympia, WA 98504-7250Email: mfriedla@utc.wa.gov | Brett Shearer Office of the Attorney GeneralWashington Utilities and Transportation Commission1400 S. Evergreen Park Dr. SWPO Box 40128Olympia, WA 98504-0128Email: bshearer@utc.wa.gov |
| Sally BrownSenior Assistant Attorney GeneralWashington Utilities and Transportation Commission1400 S. Evergreen Park Dr. SWPO Box 40128Olympia, WA 98504-0128 | James K. SellsAttorney at LawPMB 22, 3110 Judson St. Gig Harbor, WA 98335E-mail: jamessells@comcast.net |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Maggi Gruber