

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Penalty Assessment
against

WASTE MANAGEMENT OF
WASHINGTON, INC.

In the Amount of \$47,000

DOCKET TG-190495

COMMISSION STAFF'S MOTION FOR
20-DAY EXTENSION OF TIME TO FILE
RESPONSE TO WASTE MANAGEMENT
OF WASHINGTON'S REQUEST FOR
REVIEW OF THE EXECUTIVE
SECRETARY'S ORDER

1 In response to the petition filed by Waste Management of Washington, Inc. (WMW) on September 9, 2019, Staff of the Washington Utilities and Transportation Commission (Staff) respectfully requests that the deadline for responding to WMW's petition be extended until October 9, 2019.

2 WAC 480-07-385(2) provides:

The commission will grant a continuance if the requesting party demonstrates good cause for the continuance and the continuance will not prejudice any party or the commission. 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.

3 On September 9, 2019, WMW filed a Request for Review of the Executive Secretary's Order 01 in this matter issued on August 28, 2019. WMW's petition raises issues including: (1) whether the Commission has exceeded its statutory authority when interpreting and applying 81.77 RCW and WAC 480-70-201(1); (2) whether the WMW vehicles in question are used "for the purpose of transporting solid waste for collection and/or disposal"; and (3) whether Order 01 should be modified to release WMW from 253 penalties issued for violations of 49 CFR § 391.45(a).

4 Due to the press of business load, Staff has not yet been able to complete its review of WMW's argument. WMW's petition for review brings up issues of statutory

interpretation and needs to be considered in light of potential appellate review. Furthermore, issues raised contain matters of policy relating to public health and safety. Good cause, therefore, exists for the Commission to grant the requested extension of time.

5 On September 13, 2019, the undersigned reached out by phone to WMW to speak about Staff's motion, but was not able to reach WMW's counsel and left a voicemail. As such, Staff cannot comment at this time on WMW's position as to this motion.

6 For these reasons, Staff respectfully requests that the Commission grant Staff's Motion for 20-Day Extension of Time to File Response to WMW's Request for Review of the Executive Secretary's Order.

DATED this 13th day of September, 2019.

Respectfully submitted,

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