

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of	)	DOCKET TG-120033
	)	
WASTE MANAGEMENT OF	)	
WASHINGTON, INC. D/B/A WM	)	ORDER 08
HEALTHCARE SOLUTIONS OF	)	
WASHINGTON	)	
	)	ORDER EXTENDING
For an Extension of Certificate G-237	)	DEADLINE FOR FILING
for a Certificate of Public Convenience	)	PETITIONS FOR
and Necessity to Operate Motor	)	ADMINISTRATIVE REVIEW OF
Vehicles in Furnishing Solid Waste	)	ORDER 07 TO MARCH 13, 2013
Collection Service	)	
.....	)	

**BACKGROUND**

- 1 On February 14, 2013, the Washington Utilities and Transportation Commission (Commission) entered Order 07, Initial Order Granting Application (Order 07). Pursuant to WAC 480-07-825(2), any petition for administrative review of this order must be filed by March 6, 2013, 20 days after the Commission served the order, but the Commission may extend that deadline upon a showing of good cause.
  
- 2 On February 26, 2013, Stericycle of Washington, Inc., (Stericycle) and the WRRRA Protestants<sup>1</sup> filed with the Commission a Joint Motion for Extension of Time to File Petitions for Administrative Review (Motion) which requests an extension of the deadline for filing petitions for administrative review of Order 07 until March 28, 2013. The Motion states that good cause exists to extend the deadline due to the need of newly associated counsel for the WRRRA Protestants to fully review the proceedings in this matter and because of unexpected family medical circumstances and prior vacation plans of the attorneys representing Stericycle.

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<sup>1</sup> WRRRA Protestants include the Washington Refuse and Recycling Association, Rubatino Refuse Removal, Inc., Consolidated Disposal Services, Inc., Murrey's Disposal, Inc., and Pullman Disposal Services, Inc.

- 3 On February 28, 2013, Waste Management of Washington, Inc. (Waste Management) filed a response to the Motion. Waste Management agrees to extend the filing deadline to March 13, 2013, due to the family medical issues experienced by one of Stericycle's attorneys but contends that the Motion otherwise fails to demonstrate good cause for additional time to file for administrative review.

### DISCUSSION AND DECISION

- 4 The association of additional counsel to represent the WRRRA Protestants is not good cause to extend the deadline for filing petitions for administrative review of Order 07. There is no representation in either the Motion or the supporting declaration that the WRRRA Protestants' current counsel is unable or unwilling to continue in that capacity and prepare a petition for review. The WRRRA Protestants certainly are free to engage more legal assistance on this matter, but their desire to do so does not justify delaying these proceedings.
- 5 The family medical issue described in the Motion would be good cause to extend the deadline if the attorney experiencing that issue were Stericycle's sole counsel. Two attorneys, however, have been representing Stericycle during this proceeding, including throughout the evidentiary hearings. Neither the Motion nor the supporting declaration explain why Stericycle's second and more senior attorney is unable to prepare that company's petition before going on vacation March 9, 2013, three days after the petition is due.
- 6 The Commission makes every effort to accommodate the needs of the parties when making scheduling determinations, but we will not lightly lengthen the process for reviewing applications for authority to provide regulated service over the objection of the applicant. Here, Waste Management agrees to a one-week extension of the schedule but objects to any further delay in what has already been a lengthy and intensive process.<sup>2</sup>
- 7 The Commission will grant the Motion to the extent of extending the date for filing petitions for administrative review of Order 07 to March 13, 2013. Stericycle and the WRRRA Protestants, however, have not demonstrated good cause to extend the

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<sup>2</sup> Waste Management nevertheless states that it will agree to an additional extension if the Stericycle attorney's family situation warrants more time. The Commission will not prejudge any subsequent request for another extension, but any such request would need to explain to the Commission's satisfaction why the senior attorney representing Stericycle was unable to prepare the petition prior to leaving on vacation.

deadline beyond that date, and accordingly, the Commission denies their request to do so.

**ORDER**

8 THE COMMISSION ORDERS that the deadline for filing petitions for administrative review is extended until March 13, 2013.

Dated at Olympia, Washington, and effective March 1, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA  
Administrative Law Judge