

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**In the Matter of the Application of:**

**ADE DUMPSTERS, LLC**

**for Authority to Operate as a Solid Waste  
Collection Company in Washington**

**DOCKET TG-200250**

**WASTE MANAGEMENT OF  
WASHINGTON, INC.'s OPPOSITION  
TO ADE DUMPSTERS, LLC's  
REQUEST FOR CONTINUANCE**

- 1 Waste Management of Washington, Inc., d/b/a Waste Management – North Sound and Waste Management – Marysville and d/b/a Waste Management – South Sound and Waste Management of Seattle (“Waste Management”) opposes ADE Dumpsters, LLC’s (“ADE”) Request for Continuance, filed September 3, 2020 (“Request”). The Commission should deny the Request for two reasons: ADE failed to file the request within the required time, and it failed to show good cause for a continuance.
- 2 First, ADE did not timely file the Request. Under the Prehearing Order, ADE is required to submit pre-filed testimony and exhibits today. Order 01 at Exhibit B. To seek continuance of that deadline, ADE was required to file and serve its request at least five business days before the deadline sought to be extended, *i.e.*, by Friday, August 28. WAC 480-07-385(3)(a). Instead, it waited until the day before the deadline to file its request.

3 Second, ADE has no good cause for a continuance, as required to grant the Request. WAC 480-07-385(2)(a). ADE has known of the protestants’ opposition for over four months, since Murrey’s Disposal Company and Harold LeMay Enterprises Inc. filed their protest on April 27 and Waste Management filed its protest on May 4. With ADE’s agreement, the Commission set today’s deadline over seven weeks ago. Order 01 at ¶ 6 (issued July 14, 2020). And ADE knew of its right to representation by counsel in this proceeding by—at the latest—the prehearing conference on July 13. Tr. 7:20-25.

4 Nevertheless, ADE claims it only retained counsel yesterday, offering no reasonable basis for its months-long delay in doing so. While Waste Management recognizes the challenge ADE’s newly-retained counsel faces in meeting the Commission’s deadlines, the Commission’s rules must mean something. The Request claims vaguely that “[t]he continuance is . . . appropriate due to time delays and difficulties in retaining counsel during the pandemic.” However, businesses, including law firms and waste haulers, have all been doing business during the pandemic for five to six months now, including (as always) by telephone, email, and increasingly standard video conference options. ADE could easily have retained counsel during the prior four months, and not mere days before ADE’s first substantive deadline.

//

//

//

5 For these reasons, the Commission should deny ADE's request for continuance of today's deadline.

DATED this 4th of September, 2020

Respectfully Submitted,  
DAVIS WRIGHT TREMAINE LLP  
Attorneys for Waste Management

By /s/ Walker Stanovsky  
Walker Stanovsky, WSBA No. 49919  
920 Fifth Avenue, Suite 3300  
Seattle, WA 98104-1610  
T: (206) 757-8259  
Email: [WalkerStanovsky@dwt.com](mailto:WalkerStanovsky@dwt.com)