STERICYCLE OF WASHINGTON, INC., a Washington Corporation,

Plaintiff,

v.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, an Agency of the State of Washington,

Defendant.

Thurston County Superior Court No. 13-2-01696-3

Docket No. TG-120033

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<u>1 age 1 10.</u>	
0001	Master Service List.
0004	Application for Extension of Existing Certificate No. G-237, on behalf of Waste Management of Washington, Inc., from Polly L. McNeill, Attorney, dated December 30, 2011, with cover letter.
0092	Commission's Transportation Docket Notice of TG-120033, Waste Management of Washington, Inc., dated February 7, 2012, with Proof of Service.
0099	Letter to David Danner, Executive Director and Secretary, from David W. Wiley, Attorney, RE: Request to be noted as an interested party in this proceeding, dated February 9, 2012.
0100	Notice of Appearance of Stephen B. Johnson and Jared Van Kirk, on behalf of Stericycle of Washington, Inc., dated February 17, 2012, with cover letter and certificate of service.
0104	Protest of Stericycle of Washington, Inc., to Application for Permanent Solid Waste Collection Authority, from Stephen B., Johnson, Attorney, dated February 17, 2012, with cover letter and certificate of service.

0110	Protest of Washington Refuse & Recycling Association; Rubatino Refuse Removal, Inc.; Consolidated Disposal Services, Inc.; Murrey's Disposal, Inc.; and Pullman Disposal Service, Inc., from James K. Sells, Attorney, dated February 17 2012, with cover letter, attached certificates, and certificate of service.
0122	Commission's Notice of Prehearing Conference (Set for April 10, 2012, at 1:30 p.m.), dated March 16, 2012, with Proof of Service.
0131	Notice of Appearance on Behalf of Waste Management of Washington, Inc., of Polly L. McNeill and Jessica L. Goldman, from Jessica L. Goldman, Attorney, dated April 3, 2012, with cover letter and certificate of service.
0135	Commission's Order 01, Prehearing Conference Order; Notice of Hearing (Set for September 24 – 26, 2012), dated April 16, 2012, with Proof of Service.
0146	Commission's Notice Revising Procedural Schedule, dated April 18, 2012, with Proof of Service.
0150	Notice of Appearance on Behalf of the Washington Utilities and Transportation Commission Staff of Fronda Woods, Assistant Attorney General, dated April 18, 2012, with cover letter and certificate of service.
0153	Washington Utilities and Transportation Commission Staff Late-Filed Petition to Intervene, from Fronda Woods, Assistant Attorney General, dated April 18, 2012, with cover letter and certificate of service.
0159	Commission's Order 02, Order Granting Late-Filed Petition to Intervene of Commission Staff, dated April 19, 2012, with Proof of Service.
0165	Objections of Washington Refuse & Recycling Association; Rubatino Refuse Removal, Inc.; Consolidated Disposal Services, Inc.,; Murrey's Disposal, Inc.,; and Pullman Disposal Service, Inc., to Portions of Prehearing Conference order 041912, from James K. Sells, Attorney, dated April 23, 2012, with cover letter and certificate of service.
0172	Objection to Prehearing Conference Order and Request for Clarification, from Jared Van Kirk, Attorney on behalf of Stericycle of Washington, Inc., dated April 26, 2012, with cover letter and certificate of service.
0186	Commission's Notice of Opportunity to File Answer to Objections (By Friday, May 4, 2012), dated April 30, 2012, with Proof of Service.
0189	Washington Utilities and Transportation Commission Staff Answer to Objections, from Fronda Woods, Assistant Attorney General, dated May 4, 2012, with cover letter and certificate of service.

0193 Notice of the Parties' Waiver of Service by Statutory Means, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated May 7, 2012, with cover letter and certificate of service. 0197 Waste Management's Motion for Summary Determination as to Financial and Operational Fitness and Declaration of Jessica L. Goldman in Support of Waste Management's Motion for Summary Determination as to Financial and Operational Fitness, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., with cover letter, certificate of service, and Attachments 1 through 5. 0279 Waste Management's Answer to WRRA's and Stericycle's Objections to Prehearing Conference Order and Petitions for Interlocutory Review, and Declaration of Jessica L. Goldman in Support of Waste Management's Answer to WRRA's and Stericycle's Objections to Prehearing Conference Order and Petitions for Interlocutory Review, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated May 4, 2012, with cover letter, certificate of service, and Attachments 1 through 5. 0366 Reply in Support of Objection to Prehearing Conference Order and Request for Clarification, from Jared Van Kirk, Attorney on behalf of Stericycle of Washington, Inc., dated May 7, 2012, with cover letter and certificate of service. 0376 Stericycle of Washington, Inc.'s Motion for Extension of Time, Agreed Request per WAC 480-07-385(1)(B), from Stephen B. Johnson, Attorney, dated May 9, 2012, with cover letter and certificate of service. 0381 Commission's Notice Granting Motion for Extension of Time, dated May 10, 2012, with Proof of Service. 0385 Commission's Order 03, Order Overruling Objections to Prehearing Conference Order and Denying Petitions for Interlocutory Review, dated May 14, 2012, with Proof of Service. 0396 Commission Staff's Response to Waste Management's Motion for Summary Determination as to Financial and Operational Fitness, from Frond Woods, Assistant Attorney General, dated May 22, 2012, with cover letter and certificate of service. 0400 Reply of Washington Refuse & Recycling Association; Rubatino Refuse Removal, Inc.; Consolidated Disposal Services, Inc.; Murrey's Disposal, Inc.; and Pullman Disposal Service, Inc., to Motion for Summary Determination, from James K. Sells, Attorney, dated May 24, 2012, with cover letter and certificate of service.

0409 Commission's Order 04, Order Denying Motion for Summary Determination as to Financial and Operational Fitness, dated June 4, 2012, with Proof of Service. 0414 Stericycle's Opposition to Waste Management's Motion for Summary Determination and Motion for Continuance, and Declaration of Christopher Dunn in Opposition to Waste Management's Motion for Summary Determination as to Financial and Operational Fitness, from Stephen B. Johnson, Attorney, on behalf of Stericycle of Washington, Inc., dated May 25, 2012, with cover letter and certificate of service. 0452 Waste Management's Opposition to Stericycle's Motion for Continuance, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated May 31, 2012, with cover letter and certificate of service. 0460 Protestants Rubatino Refuse Removal, Inc.; Consolidated Disposal Services, Inc.; Murrey's Disposal, Inc.; and Pullman Disposal Service, Inc.'s Objection to Applicant's Data Requests and Motion for Discovery Conference, from James K. Sells, Attorney, dated June 5, 2012, with cover letter and certificate of service. 0467 Commission's Notice of Discovery Conference (Scheduled for Wednesday, June 20, 2012, 10:00 a.m.), dated June 11, 2012, with Proof of Service. 0470 Initial Brief on Preliminary Issues of Washington Refuse & Recycling Association; Rubatino Refuse Removal, Inc.; Consolidated Disposal Services, Inc.; Murrey's Disposal, Inc.; and Pullman Disposal Service, Inc., from James K. Sells, Attorney, dated June 13, 2012, with cover letter and certificate of service. 0477 Protestant Stericycle of Washington, Inc.'s Memorandum Concerning the Showing an Applicant for Overlapping Authority is Required to Make to Establish That Existing Certificate Holders Will not Provide Service to the Satisfaction of the Commission, from Stephen B. Johnson, Attorney, dated June 14, 2012, with cover letter and certificate of service. 0498 Waste Management's Opening Brief on Preliminary Legal Issues, Declaration of Jessica L. Goldman in Support of Waste Management's Opening Brief on Preliminary Legal Issue, and Declaration of Jeff Norton in Support of Waste Management's Opening Brief on Preliminary Legal Issue, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated June 14, 2012, with cover letter, certificate of service, and Attachments 1 and 2 on Declaration of Jessica L. Goldman. 0548 Commission Staff's Initial Brief on Preliminary Legal Issue, and Order Cited in Commission Staff's Initial Brief on Preliminary Legal Issue, from Fronda Woods, Assistant Attorney General, dated June 14, 2012, with cover letter and certificate of service.

0775 Waste Management's Response to Rubatino, Et Al.'s Objection to Applicant's Data Requests and Motion for Discovery Conference, and Declaration of Jessica L. Goldman in Support of Waste Management's Response to Rubatino, Et Al.'s Objection to Applicant's Data Requests and Motion for Discovery Conference, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated June 18, 2012, with cover letter, certificate of service, and Attachment 1 to Declaration of Jessica L. Goldman. 0797 Protestants Washington Refuse & Recycling Association; Rubatino Refuse Removal, Inc.; Consolidated Disposal Services, Inc.; Murrey's Disposal, Inc.; and Pullman Disposal Service, Inc., Response to Briefing on Initial Issues, from James K. Sells, Attorney, dated June 22, 2012, with cover letter and certificate of service. 0805 Commission Staff's Response Brief on Preliminary Legal Issue, from Fronda Woods, Assistant Attorney General, dated June 22, 2012, with cover letter and certificate of service. 0809 Waste Management's Response Brief on Preliminary Legal Issue, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated June 22, 2012, with cover letter and certificate of service. 0816 Protestant Stericycle of Washington, Inc.'s Reply Memorandum Concerning the Preliminary Legal Issue RE: Satisfactory Service, from Stephen B. Johnson, Attorney, dated June 22, 2012, with cover letter and certificate of service. 0835 Commission's Notice of Hearing (Scheduled for Wednesday, August 8, 2012, 2:30 p.m.), dated July 27, 2012, with Proof of Service. 0838 Waste Management's Motion to Compel Discovery From Stericycle, Declaration of Mike Weinstein in Support of Waste Management's Motion to Compel Discovery From Stericycle, and Declaration of Polly L. McNeill in Support of Waste Management's Motion to Compel Discovery From Stericycle, from Polly L. McNeill, Attorney, on behalf of Waste Management of Washington, Inc., dated July 31, 2012, with cover letter, certificate of service, and Attachments 1 through 7 to Declaration of Polly L. McNeill. 0959 Protestant Stericycle of Washington, Inc.'s Motion to Compel Responses to Data Requests and Production of Documents, Protestant's Stericycle of Washington, Inc.'s Motion for Leave to Take Depositions, Declaration of James Ryan in Support of Stericycle's Motion for Leave to Take Depositions, and Stericycle of Washington, Inc.'s Motion for Extension of Time – Agreed Request Per WAC 480-07-385(1)(B), from Stephen B. Johnson, Attorney, dated July 31, 2012, with cover letter, certificate of service, and Exhibits A through E to Motion to Compel

Response.

1109 Stericycle's Opposition to Waste Management's Motion to Compel Discovery, Declaration of Michael Philpott in Opposition to Waste Management's Motion to Compel Discovery, Declaration of Nanette M. Walker, CPA, in Opposition to Waste Management's Motion to compel Discovery, and Declaration of Stephen B. Johnson in Opposition to Waste Management's Motion to Compel Discovery, from Stephen B. Johnson, Attorney, on behalf of Stericycle of Washington, Inc., dated August 6, 2012, with cover letter, certificate of service, and Exhibits A through D to Declaration of Stephen B. Johnson. 1156 Waste Management's Opposition to Stericycle Motion to Compel, Declaration of Polly L. McNeill in Support of Waste Management's Opposition to Stericycle's Motion to Compel, and Declaration of Jeff Norton in Support of Waste Management's Opposition to Stericycle's Motion to Compel, from Polly L. McNeill, Attorney, on behalf of Waste Management of Washington, Inc., dated August 6, 2012, with cover letter, certificate of service, and Attachments 1 through 2 to Declaration of Polly L. McNeill. 1193 Waste Management's Response to Stericycle's Motion for Leave to Take Depositions, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated August 7, 2012, with cover letter and certificate of service. 1199 Commission's Notice Revising Procedural Schedule, dated August 10, 2012, with Proof of Service. 1203 Commission's Order 05, Interim Order on Prehearing Issues – Notice of Prehearing Conference (Set for Wednesday, November 28, 2012, at 1:30 p.m.), dated September 5, 2012, with Proof of Service. 1210 Notice of Deposition Upon Oral Examination of Mike Philpott, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated September 13, 2012, with cover letter and certificate of service. 1214 Notice of Deposition Upon Oral Examination of Jeffrey Norton and Jeffrey Daub, from Dominique Barrientes, Legal Assistant to Stephen B. Johnson, Attorney, on behalf of Stericycle of Washington, Inc., dated September 14, 2012, with cover letter and certificate of service. 1220 Protestant Stericycle of Washington, Inc.'s Motion to Compel Responses to Second Data Requests and Production of Documents, from Dominique Barrientes,

cover letter, certificate of service, and Exhibits A through E.

Legal Assistant to Stephen B. Johnson, Attorney, dated September 19, 2012, with

1303 Commission's Notice Extending Time to File Response to Motion (Responses due by Thursday, September 27, 2012), dated September 20, 2012, with Proof of Service. 1306 Commission's Notice of Telephonic Hearing (Scheduled for Wednesday, October 3, 2012, 3:00 p.m.), dated September 27, 2012, with Proof of Service. 1309 Waste Management's Opposition to Stericycle's Second Motion to Compel, and Declaration of Jessica L. Goldman in Opposition to Stericycle's Second Motion to Compel, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated September 27, 2012, with cover letter, certificate of service, and Attachments A through D to Declaration of Jessica L. Goldman. 1353 Commission's Notice Requiring Stericycle to Refile Prefiled Direct Testimony (Due by October 10, 2012), dated October 5, 2012, with Proof of Service. 1356 Notice of Deposition Upon Oral Examination of Chris Dunn, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated October 19, 2012, with cover letter and certificate of service. 1360 Protestant Stericycle of Washington, Inc.'s Motion for Leave to Take Deposition and to Compel Responses to Deposition Questions, and Declaration of Jared Van Kirk in Support of Protestant Stericycle of Washington, Inc.'s Motion for Leave to Take Deposition and to Compel Responses to Deposition Questions, from Jared Van Kirk, Attorney, dated October 24, 2012, with cover letter, certificate of service, and Exhibit A through E to Declaration of Jared Van Kirk. 1438 Waste Management's Opposition to Stericycle's Motion for Leave to Take Deposition and to Compel Responses to Deposition Questions, and Declaration of Deanna Schow in Support of Waste Management's Opposition to Stericycle's Motion for Leave to Take Deposition and to Compel Responses to Deposition Questions, from Deanna L. Schow, Legal Assistant to Polly L. McNeill and Jessica L. Goldman, Attorneys, on behalf of Waste Management of Washington, Inc., dated October 31, 2012, with cover letter, certificate of service, and Attachments 1 through 7 to Declaration of Deanne Schow. 1540 Commission's Order 06, Order Denying Motion for Leave to Take Deposition and to Compel Responses to Deposition Questions, dated November 5, 2012, with Proof of Service. 1546 Protestant Stericycle of Washington, Inc.'s Motion for Summary Determination RE Waste Management's Unlawful Biomedical Waste Collection Operations Outside its Certificated Territory, and Declaration of Jared Van Kirk in Support of Protestant Stericycle of Washington, Inc.'s Motion for Summary Determination RE Waste Management's Unlawful Biomedical Waste Collection Operations Outside its Certificated Territory, from Jared Van Kirk, Attorney, dated

November 6, 2012, with certificate of service and Exhibits A through I to Declaration of Jared Van Kirk.

- Commission Staff's Response to Stericycle's Motion for Summary Determination RE Waste Management's Unlawful Biomedical Waste Collection Operations Outside Certificated Territory, from Frond Woods, Assistant Attorney General, dated November 20, 2012, with cover letter and certificate of service.
- Waste Management's Motion to Strike the Testimony of Christopher Dunn,
 James Ryan, Mike Philpott and Ron Adams and Corresponding Motion in
 Limine, and Declaration of Polly L. McNeill in Support of Waste Management's
 Motion to Strike the Testimony of Christopher Dunn, James Ryan, Mike Philpott
 and Ron Adams and Corresponding Motion in Limine, from Deanna L. Schow,
 Legal Assistant to Polly L. McNeill, Attorney, on behalf of Waste Management of
 Washington, Inc., dated November 21, 2012, with cover letter, certificate of
 service, and Attachments 1 through 3 to Declaration of Polly L. McNeill.
- Protestants Rubatino Refuse Removal, Inc.; Consolidated Disposal Services, Inc.; Murrey's Disposal, Inc.; and Pullman Disposal Service, Inc.; Witness List, Exhibit List and Cross-Examination Time Estimates, from Cheryl L. Sinclair, Legal Assistant to James K. Sells, Attorney, dated November 23, 2012, with cover letter and certificate of service.
- 1717 Protestant Stericycle of Washington, Inc.' Motion to Strike Prefiled Testimony of Jess Norton and Prefiled Deposition Excerpts of Mike Philpott and Chris Dunn, and in the Alternative to File Prefiled Deposition Excerpts of Jeff Norton and Jared Van Kirk, and Notice of Errata RE Prefiled Rebuttal Testimonies of Taya Briley and Mike Philpott, from Jared Van Kirk, Attorney, dated November 26, 2012, with cover letter, certificate of services, Prefiled Rebuttal Testimony of Taya Briley, and Transcript of the Testimony of Jeffrey Norton as an attachment to Declaration of Jared Van Kirk.
- Waste Management's Witness List, Exhibit List and Anticipated Time for Cross Examination, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated November 26, 2012, with cover letter and certificate of service.
- Protestant Stericycle of Washington, Inc.'s Witness List, Exhibit List and Cross-Examination Time Estimates, from Jared Van Kirk, Attorney, dated November 26, 2012, with cover letter and certificate of service.
- Waste Management's Opposition to Stericycle's Motion for Summary
 Determination RE Waste Management's Unlawful Biomedical Waste Collection
 Operations Outside its Certificated Territory, and Declaration of Jessica L.
 Goldman in Opposition to Stericycle's Motion for Summary Determination RE
 Waste Management's Unlawful Biomedical Waste Collection Operations Outside

	its Certificated Territory, from Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated November 26, 2012, with cover letter, certificate of service, and Attachments 1 through 5 to Declaration of Jessica L. Goldman.
1877	Commission's Notice Granting Request to Extend Filing Deadline (Deadline for Initial Post-hearing Briefs now due January 18, 2013), dated December 7, 2012, with Proof of Service.
1880	Commission Staff Post-Hearing Brief, from Frond Woods, Assistant Attorney General, dated December 31, 2012, with cover letter and certificate of service.
1894	WRRA Protestants' Post Hearing Brief, from Cheryl L. Sinclair, Legal Assistant to James K. Sells, Attorney, on behalf of Washington Refuse and Recycling Association; Rubatino Refuse Removal, Inc.; Consolidated Disposal Services, Inc.; Murrey's Disposal, Inc.; and Pullman Disposal Service, Inc., dated January 17, 2013, with cover letter and certificate of service.
1904	Protestant Stericycle of Washington, Inc.'s Post-Hearing Brief, from Jared Van Kirk, Attorney, dated January 18, 2013, with cover letter and certificate of service.
1962	Waste Management's Post-Hearing Brief, from Kathy Moll, Legal Assistant to Jessica L. Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated January 18, 2013, with cover letter and certificate of service.
2005	Substitution of Counsel on Behalf of Commission Staff of Steven W. Smith, from Steven W. Smith, Assistant Attorney General, dated January 23, 2013, with cover letter and certificate of service.
2008	WRRA Protestants' Reply Brief, from Cheryl L. Sinclair, Legal Assistant to James K. Sells, Attorney, on behalf of Washington Refuse and Recycling Association; Rubatino Refuse Removal, Inc.; Consolidated Disposal Services, Inc.; Murrey's Disposal, Inc.; and Pullman Disposal Service, Inc., dated January 25, 2013, with cover letter and certificate of service.
2014	Protestant Stericycle of Washington, Inc.'s Post-Hearing Response Brief, from Jared Van Kirk, Attorney, dated January 25, 2013, with cover letter and certificate of service.
2034	Waste Management's Post-Hearing Reply, from Deanna L. Schow, Legal Assistant to Jessica Goldman, Attorney, on behalf of Waste Management of Washington, Inc., dated January 25, 2013, with cover letter and certificate of service.



2105	Commission's Order 09, Order Further Extending Deadline for Filing Petitions for Administrative Review of Order 07 to March 28, 2013, dated March 5, 2013, with Proof of Service.
2109	Petition for Administrative Review of Initial Order No. 7 on Behalf of "The WRRA Companies" and the WRRA, from David W. Wiley, Attorney, on behalf of Rubatino Refuse Removal, Inc.; Consolidated Disposal Service, Inc.; Murrey's Disposal, Inc.; Pullman Disposal Service, Inc., and Washington Refuse and Recycling Association, dated March 28, 2013, with cover letter and certificate of service.
2126	Protestant Stericycle of Washington, Inc.'s Petition for Review of Initial Order Granting Application, from Stephen B. Johnson, Attorney, dated March 28, 2013, with cover letter and certificate of service.
2181	Waste Management's Answer to Stericycle's Petition for Review of Initial Order Granting Application, and Waste Management's Answer to Petition for Administrative Review of Initial Order No. 7 on Behalf of "The WRRA Companies" and the WRRA, from Deanna L. Schow, Legal Assistant to Jessica L. Goldman and Polly L. McNeill, Attorneys, on behalf of Waste Management of Washington, Inc., dated April 8, 2013, with cover letter and certificate of service.
2252	Commission Staff's Answer to Petition for Review of Initial Order, from Steven W. Smith, Assistant Attorney General, dated April 8, 2013, with cover letter and certificate of service.
2258	Commission's Order 10, Final Order Denying Petitions for Review of Order 07 and Granting Application, dated July 10, 2013, with Proof of Service.
2294	Commission's Exhibit List.
2305 – 4212	Commission Exhibits JS-1T, TJ-1T, JL-1T, RM-1T, DW-1T, RL-1T, CP-1T, EN-1T, MAW-1T - MAW-23, MAW-25, JN-1T, JN-2, JN-4T - JN-7, JD-1T - JD-23, MM-1T, MP-1T - MP-22, MP-25, MP-27, JR-8, JR-9, RA-1T, JM-1T, ER-1T, ER-2, ER-3, MW-1T, MW-2, MW-3, MW-4, DF-1T, DF-2, DF-3, DF-4, MG-1T, MG-2, and MG-3 admitted. MAW-24, JN-3T, MP-24, JR-1T, JR-2, JR-3, JR-4, JR-5, JR-6, CD-2, CD-3, and PLI-1 rejected. JN-8, JN-9, JN-10, JN-11, JN-12, MP-23, and MP-26 not offered. JR-7T, CD-1T, and TB-1T admitted in part and rejected in part.
1 – 854	Commission Hearing Transcript Vols. 1 through 8 (Pgs. 1 through 854)
5066	Total Pages