

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Application of

DTG Enterprises Inc. d/b/a DTG  
Recycle

For Authority to Operate as a Solid  
Waste Collection Company in  
Washington

DOCKET TG-240583

ORDER 01

PREHEARING CONFERENCE  
ORDER; NOTICE OF HEARING  
**(Evidentiary Hearing set for May 6-7,  
2025, at 9:30 a.m.)**

**NATURE OF PROCEEDING.** On August 5, 2024, DTG Enterprises Inc. d/b/a DT Recycle (DTG or Applicant) filed with the Washington Utilities and Transportation Commission (Commission) an application for authority to operate as a solid waste collection company in Washington (Application). On August 27, 2024, DTG updated its Application. On September 24, 2024, Sanitary Service Company, Inc. and Waste Connections of Washington, Inc. (and its subsidiaries), filed protests to the Application. On September 25, 2024, Basin Disposal, Inc., Rabanco LTD and Kent Meridian Disposal Co. also filed protests to the Application. On September 26, 2024, Bainbridge Disposal, Inc., Waste Management of Washington Inc., and Rubatino Refuse Removal LLC also filed protests to the Application. On September 27, 2024, DTG filed an addendum to its application.

1 **CONFERENCE.** The Commission convened a telephonic prehearing conference on October 30, 2024, before Administrative Law Judge Bijan Hughes.

2 **APPEARANCES.** Staff is represented by Lisa Gafken of the Attorney General's Office. Public Counsel is represented by Tad Robinson O'Neill, Jessica Johanson-Kubin, and Robert D. Sykes. Donna Barnett of Perkins Coie represents DTG. David W. Wiley and Michael Howard of Williams, Kastner & Gibbs PLLC represent: Basin Disposal, Inc.; Rabanco LTD; Kent Meridian Disposal Co.; Sanitary Service Company, Inc; Waste Connections of Washington, Inc (and its subsidiaries). Reid G. Johnson of Lukins & Annis, P.S., represents Rubatino Refuse Removal LLC. Caroline Cilek and Walker Stanovsky of Davis Wright Tremaine LLP represent Waste Management of Washington, Inc. Rod Whitaker represents Washington Refuse and Recycling Association (WRRRA). Contact information for the parties' representatives is attached as Appendix A to this Order.

3 **PETITIONS FOR INTERVENTION.** On September 24, 2024, WRRRA filed with the  
Commission a Petition to Intervene (Petition). Prior to the prehearing conference, no  
party objected to the Petition. At the October 30, 2024, prehearing conference DTG  
objected to the inclusion of the WRRRA, and the presiding administrative law judge heard  
arguments for and against granting the petition. DGT's objection is overruled; the  
Commission hereby grants the petition to intervene; the WRRRA has established a  
substantial interest in this proceeding and that its participation is in the public interest.<sup>1</sup>

4 **DISCOVERY.** Overruling Waste Management's objection, in order to facilitate an  
efficient resolution to this matter, discovery will be immediately available to the parties  
and shall be conducted under the Commission's discovery rules, Washington  
Administrative Code (WAC) 480-07-400 – 425. The Commission urges the parties to  
work cooperatively together to avoid having to bring discovery matters forward for  
formal resolution. Prior to bringing a discovery matter to the Presiding Officer's  
attention, the parties shall first consult with one another. The Commission will issue a  
separate protective order at the request of the parties.

5 **PROCEDURAL SCHEDULE.** The parties presented an agreed procedural schedule at  
the prehearing conference. The Commission adopts the proposed procedural schedule,  
which is attached to this Order as Appendix B. The parties may modify the date of the  
settlement conference by providing written notice to the Commission.

6 **DOCUMENT FILING AND SERVICE REQUIREMENTS.** Parties must file and  
serve all pleadings, motions, briefs, and other pre-filed materials in compliance with all  
of the following requirements:

- (a) Parties must submit electronic copies of all documents by 5 p.m. on the filing  
deadline established in the procedural schedule (or other deadline as  
applicable) unless the Commission orders otherwise. Parties must comply  
with WAC 480-07-140(6) in formatting, organizing, and identifying electronic  
files.
- (b) The Commission accepts only electronic versions of documents for formal  
filing. Parties must submit documents electronically through the  
Commission's web portal ([www.utc.wa.gov/e-filing](http://www.utc.wa.gov/e-filing)). If a party is unable to  
use the web portal to submit documents for filing, the Commission will accept  
a submission via email to [records@utc.wa.gov](mailto:records@utc.wa.gov), provided that the email:

---

<sup>1</sup> WAC 480-07-355.

(1) explains the reason the documents are not being submitted via the web portal, and (2) complies with the requirements in WAC 480-07-140(5)(b).

(c) Parties must electronically serve the other parties and provide courtesy electronic copies of filings to the presiding administrative law judge ([bjan.hughes@utc.wa.gov](mailto:bjan.hughes@utc.wa.gov)) by 5 p.m. on the filing deadline unless the Commission orders otherwise. If parties are unable to email copies, they may furnish electronic copies by delivering them on a flash drive only.

7 **EXHIBITS FOR CROSS-EXAMINATION.** Parties are required to file with the Commission and serve all proposed cross-examination exhibits by **5 p.m. on Tuesday, April 29, 2025.** The Commission requires electronic copies in searchable PDF (Adobe Acrobat or comparable software). If any of the exhibits contain information designated as confidential, parties must file an electronic copy of the redacted version in searchable PDF (Adobe Acrobat or comparable software) of each such exhibit. The exhibits must be grouped according to the witness the party intends to cross-examine with the exhibits.

8 **EXHIBIT LISTS.** With each submission of pre-filed testimony and exhibits, the party making the submission must include a preliminary exhibit list that identifies each submitted exhibit in the format the Commission uses for exhibit lists it prepares for evidentiary hearings. DTG will prepare its preliminary exhibit list and circulate it to the parties. Each party must file and serve a final list of all exhibits the party intends to introduce into the evidentiary record, including all pre-filed testimony and exhibits as well as cross-examination exhibits by **5 p.m., Tuesday, April 29, 2025.**

9 **CROSS-EXAMINATION TIME ESTIMATES.** Each party must provide a list of witnesses the party intends to cross-examine at the evidentiary hearing and an estimate of the time that party anticipates the cross-examination of that witness will take. Parties should not file witness lists or cross-examination time estimates but must provide them to the administrative law judge ([Byjan.Hughes@utc.wa.gov](mailto:Byjan.Hughes@utc.wa.gov)) and the other parties by email on **Tuesday, April 29, 2025, at 5:00 p.m.**

10 **PUBLIC COMMENT HEARING.** No party requested a public comment hearing, and the Commission does not find such a hearing is necessary in this case.

11 **NOTICE OF EVIDENTIARY HEARING.** The Commission will hold an evidentiary hearing in this docket on **Tuesday, May 6, 2025, at 9:30 a.m., continuing if necessary to Wednesday, May 7, 2025.** The hearing will be conducted virtually via Zoom. To

attend the hearing via Zoom, [click here to join meeting](#),<sup>2</sup> or call (253) 215-8782 and enter the Conference ID: 817 7187 7301# and use the Passcode: 882171#.

- 12 **ALTERNATE DISPUTE RESOLUTION.** The Commission supports the informal settlement of matters before it. Parties are encouraged to consider means of resolving disputes informally. The Commission has limited ability to provide dispute resolution services. If you wish to explore those services, please contact James Brown II, Director, Administrative Law Division (360-664-1163).
- 13 **NOTICE TO PARTIES: A party who objects to any portion of this Order must file a written objection within ten (10) calendar days after the service date of this Order, pursuant to WAC 480-07-430 and WAC 480-07-810. The service date appears on the first page of this Order, in the upper right-hand corner. Absent such objection, this Order will control further proceedings in this docket, subject to Commission review.**

DATED at Lacey, Washington, and effective December 5, 2024.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

/s/ Bijan T. Hughes  
BIJAN HUGHES  
Administrative Law Judge

---

<sup>2</sup> <https://utc-wa-gov.zoom.us/j/81771877301?pwd=kym28paNt6n44NvJrzaosHU9zWfoWI.1>

**APPENDIX A  
PARTIES' REPRESENTATIVES  
DOCKET TG-240583**

<b>PARTY</b>	<b>REPRESENTATIVE</b>	<b>PHONE</b>	<b>E-MAIL</b>
UTC Staff	Lisa Gafken  Utilities and Transportation Division P.O. Box 40128 Olympia, WA 98504-0128	206-714-3551	<a href="mailto:lisa.gafken@atg.wa.gov">lisa.gafken@atg.wa.gov</a>
Public Counsel	Tad Robinson O'Neill, Jessica Johanson-Kubin Robert D. Sykes  Washington Attorney General's Office Public Counsel Unit 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188	206-254-0570 206-521-3211 206-389-2055	<a href="mailto:Tad.ONeill@ATG.WA.GOV">Tad.ONeill@ATG.WA.GOV</a> <a href="mailto:Jessica.Johanson-Kubin@ATG.WA.GOV">Jessica.Johanson-Kubin@ATG.WA.GOV</a> <a href="mailto:Robert.Sykes@ATG.WA.GOV">Robert.Sykes@ATG.WA.GOV</a>
DTG Enterprises Inc.	Donna Barnett Becca Human Perkins Coie LLP 10885 NE 4th Street, Suite 700 Bellevue, WA 98004	425-635-1400	<a href="mailto:dbarnett@perkinscoie.com">dbarnett@perkinscoie.com</a> <a href="mailto:rhuman@perkinscoie.com">rhuman@perkinscoie.com</a>
Waste Connections of Washington, Inc.	David W. Wiley Michael Howard Williams, Kastner & Gibbs PLLC 601 Union St., Ste. 4100 Seattle, WA 98101-2380	206-628-6600	<a href="mailto:dwiley@williamskastner.com">dwiley@williamskastner.com</a> <a href="mailto:mhoward@williamskastner.com">mhoward@williamskastner.com</a>
Bainbridge Disposal, Inc.	David W. Wiley Michael Howard Williams, Kastner & Gibbs PLLC 601 Union St., Ste. 4100 Seattle, WA 98101-2380	206-628-6600	<a href="mailto:dwiley@williamskastner.com">dwiley@williamskastner.com</a> <a href="mailto:mhoward@williamskastner.com">mhoward@williamskastner.com</a>
Basin Disposal, Inc	David W. Wiley Michael Howard Williams, Kastner & Gibbs PLLC 601 Union St., Ste. 4100 Seattle, WA 98101-2380	206-628-6600	<a href="mailto:dwiley@williamskastner.com">dwiley@williamskastner.com</a> <a href="mailto:mhoward@williamskastner.com">mhoward@williamskastner.com</a>
Rabanco LTD	David W. Wiley Michael Howard Williams, Kastner & Gibbs PLLC 601 Union St., Ste. 4100 Seattle, WA 98101-2380	206-628-6600	<a href="mailto:dwiley@williamskastner.com">dwiley@williamskastner.com</a> <a href="mailto:mhoward@williamskastner.com">mhoward@williamskastner.com</a>

Kent Meridian Disposal Co.	David W. Wiley Michael Howard Williams, Kastner & Gibbs PLLC 601 Union St., Ste. 4100 Seattle, WA 98101-2380	206-628-6600	<a href="mailto:dwiley@williamskastner.com">dwiley@williamskastner.com</a> <a href="mailto:mhoward@williamskastner.com">mhoward@williamskastner.com</a>
Sanitary Service Company, Inc	David W. Wiley Michael Howard Williams, Kastner & Gibbs PLLC 601 Union St., Ste. 4100 Seattle, WA 98101-2380	206-628-6600	<a href="mailto:dwiley@williamskastner.com">dwiley@williamskastner.com</a> <a href="mailto:mhoward@williamskastner.com">mhoward@williamskastner.com</a>
Waste Management of Washington	Walker Stanovsky Caroline Cilek, Davis Wright Tremaine LLP 560 SW 10th Ave., Ste. 700 Portland, OR 07205  Ame Lewis, Waste Management 7227 NE 55th Ave. Portland, OR 97218	206-757-8259 503-778-5271  425-823-6164	<a href="mailto:WalkerStanovsky@dwt.com">WalkerStanovsky@dwt.com</a> <a href="mailto:CarolineCilek@dwt.com">CarolineCilek@dwt.com</a> <a href="mailto:alewis6@wm.com">alewis6@wm.com</a>  <a href="mailto:alewis6@wm.com">alewis6@wm.com</a>
Rubatino Refuse Removal LLC	Reid G. Johnson Lukins & Annis, P.S. 717 W. Sprague Ave., Suite 1600 Spokane, WA 99201	509-455-9555	<a href="mailto:rjohnson@lukins.com">rjohnson@lukins.com</a>
WRRRA	Rod Whitaker, Attorney at Law WRRRA 4160 6th Avenue SE, Ste.205 Lacey, WA 98503	360-943-8859	<a href="mailto:rod@wrra.org">rod@wrra.org</a>

**APPENDIX B  
PROCEDURAL SCHEDULE  
DOCKET TG-240583**

<b>EVENT</b>	<b>DATE</b>
Application Filing	<b>August 5, 2024</b>
Prehearing Conference	<b>October 30, 2024 (Wednesday)</b>
Applicant Direct Testimony and Exhibits	<b>December 17, 2024 (Tuesday)</b>
Response testimony from Protestants and Intervenor	<b>February 13, 2025 (Thursday)</b>
Rebuttal and Cross-answering Testimony	<b>March 13, 2025 (Thursday)</b>
Discovery deadline	<b>April 11, 2025 (Friday) With 10-day turnaround, responses would be due by April 25, 2025)</b>
Settlement Conference	<b>January 8, 2025 (Wednesday)</b>
Exhibit List, Cross-Examination Exhibits, Witness Lists, Time Estimates, and Exhibit Errata	<b>April 29, 2025 (Tuesday)</b>
Evidentiary Hearing	<b>May 6, 2025 (Tuesday)</b>
Post-Hearing Briefs	<b>June 5, 2025 (Thursday)</b>