

[Service Date May 17, 2012]

May 17, 2012

**NOTICE REVISING PROCEDURAL SCHEDULE AND
CANCELING EVIDENTIARY HEARINGS
(Scheduled for June 6-7, 2012)**

RE: *Washington Utilities and Transportation Commission v. Murrey's Disposal Company, Inc., et al.*, Dockets TG-111672, TG-111674 & TG-111681
(consolidated)

TO ALL PARTIES:

On November 15, 2011, the Washington Utilities and Transportation Commission (Commission) issued Order 03 in the above-referenced dockets (Consolidated Dockets) establishing a procedural schedule.

On January 9, 2012, the Commission conducted a workshop and recessed open meeting in Docket TG-112162, to address recycling revenue sharing programs operated by regulated solid waste collection companies. The Commission held a second workshop on March 28, 2012. The issues in the Consolidated Dockets overlap, at least in part, with the issues discussed at the March 28 workshop in Docket TG-112162.

On April 2, 2012, the Respondents, on behalf of the parties, filed a request for a waiver of the suspension period in the Consolidated Dockets from September 1, 2012, to December 1, 2012. The Parties further requested that the briefing deadlines in the retrospective portion of the case be extended until after the anticipated interpretive statement in Docket TG-112162 (Interpretive Statement) is entered and considered by the parties. The Commission granted both requests by notice dated April 2, 2012.

On May 14, 2012, the Respondents requested a telephonic status conference to discuss the procedural schedule in the Consolidated Dockets, specifically the June 6-7, 2012, dates for evidentiary hearings on the prospective issues. The Respondents are concerned that they will not have sufficient time to prepare for those hearings after the Commission issues the Interpretive Statement.

On May 16, 2012, the Commission conducted a telephonic status conference and discussed scheduling issues with the parties. The parties agreed to cancel the June 6-7, 2012, evidentiary hearings and to apply the previously established briefing deadlines to all issues raised in the Consolidated Dockets, both retrospective and prospective. If any party believes that an evidentiary hearing on the prospective issues is necessary after reviewing the Interpretive Statement when it is issued, that party may request a status conference to discuss the need for such a hearing.

The procedural schedule for the consolidated Dockets is revised as follows:

| Event | Deadline |
|---|-----------------|
| Cross-Motions for Summary Determination of All Issues | July 25, 2012 |
| Responses to Cross-Motions on All Issues | August 13, 2012 |

PLEASE TAKE NOTICE That the Commission adopts the revised procedural schedule set forth above to govern in this proceeding, and cancels the prehearing conference previously scheduled for May 30, 2012, and the evidentiary hearings previously scheduled for June 6-7, 2012.

GREGORY J. KOPTA
Administrative Law Judge