

Exhibit No. MAW-4  
Docket No. TG-181023  
Witness: Michael Weinstein

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

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

**DOCKET TG-181023**

**SUPERIOR WASTE & RECYCLE LLC**

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

Exhibit to Direct Testimony of

**MICHAEL A. WEINSTEIN**

On behalf of Waste Management of Washington, Inc.

*Selected Responses from Superior to Waste Management Data Requests*

May 15, 2019

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

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

**SUPERIOR WASTE & RECYCLE LLC**

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

**DOCKET TG-181023**

**SUPERIOR WASTE & RECYCLE  
LLC RESPONSES TO FIRST SET OF  
DATA REQUESTS TO SUPERIOR  
WASTE & RECYCLE LLC**

Dated: May 8th, 2019

Superior provides responses to these requests subject to the protective order entered in this matter.

**GENERAL OBJECTIONS TO DATA REQUESTS**

1. Superior objects to data requests to the extent they seek information or the production of documents protected by the attorney-client privilege or work product doctrine. Such documents or information shall not be produced. Any inadvertent production shall not be deemed a waiver of any privilege with respect to such information or documents, or of any work product doctrine which may attach thereto.

2. These responses to data requests are subject to such additional or different information as may be disclosed through further investigation of discovery. Superior reserves the right to make any use of, or to introduce at any hearing and at trial, any responsive information or documents discovered subsequent to the date of their initial answers and production, including but not limited to, any documents obtained in discovery.

3. Superior reserves the right to decide whether the documents produced for inspection will be produced as they are kept in the usual course of business.

4. Superior reserves all objections to the competency, relevance, materiality, privilege or admissibility as evidence in any subsequent proceeding in or trial of this or any other action.

5. Superior objects to the introductory definitions and instructions to data requests to the extent they purport to enlarge, expand or alter in any way the plain meaning and scope of any specific request, on the ground that such enlargement, expansion or alteration renders the data requests vague, ambiguous, unintelligible, unduly broad and uncertain.

6. Superior objects to data requests to the extent they purport to enlarge, expand or alter the obligation to provide amended or supplemental answers.

the customer to a possible injury or fatality. No current or historical safety concerns present for Superiors customer base.

0009 Please indicate how long you have been servicing each of your current customers.

Please see attached Exhibit A.

0010 Please provide the total amount you have billed each customer from the time you began servicing them until the present.

No records exist and payment was not collected from many customers.

0011 Please provide the amount you have billed each customer since you received the cease and desist order from the WUTC (Docket TG-180181, Order 02 (dated Dec. 10, 2018)).

No customers have been billed since the cease and desist order was received.

## **B. Operations**

0012 When did Superior begin offering solid waste collection service?

January 1, 2015.

0013 Please provide transfer station disposal tickets for each load Superior delivered from the time that you began servicing these customers until the present.

Records do not exist in Superior's files.

0014 Please provide all written or electronic communications to or from each customer since you entered your collection business.

Any written communication has been destroyed per WUTC Order O2 in the present docket, dated December 10, 2018. No other written or electronic communication exists.

0015 Do you collect recyclable materials from customers? If yes, please explain whether you are comingling this material with the garbage or segregating it.

Recyclable material is segregated.

0016 If you are segregating recyclable materials please identify where you take it for disposal or processing.

Kitsap County Recycling Collection Center either at Olympic view transfer station or Dickey Road located in Silverdale, WA.

0017 Please provide weight tickets for the recycling material from the time you began collecting this material to the present.

Weight tickets are not given for dumping of recycling materials at these facilities.

- 0018 Please identify all costs you have paid and/or compensation you have received (i.e., commodity credits / payments) for the amount of recyclables you have collected from the time you began collecting these materials to the present.

No compensation has been collected. No records of costs exist.

**C. Fitness**

- 0019 Your certificate application (page 7) identifies Daniel Stein as the person responsible for Superior's commercial driver's license (CDL) requirements under Title 49, Code of Federal Regulations Part 383. In this regard:

- a. Does Daniel Stein hold a CDL?

Yes

- b. Please describe Daniel Stein's knowledge, skills, and experience relevant to such CDL requirements.

Mr. Stein has passed both skills and knowledge testing prior to getting his CDL licensure. Mr. Stein is additionally familiar with federal law regarding CDL standards.

- c. Please describe the CDL requirements expected to apply to Superior when operating under its requested certificate.

CDL is not required for the vehicle being used by Superior.

- d. Please describe each certification or license, if any, that Mr. Stein holds relevant to maintaining Superior's compliance with the referenced regulations.

Mr. Stein has a CDL, and retains his DOT# and is aware of complying with FMCSA drug and alcohol education/ ongoing testing.

- 0020 Your certificate application (page 7) identifies Daniel Stein as the person responsible for Superior's driver qualification requirements under Title 49, Code of Federal Regulations Part 391. In this regard:

- a. Please describe Daniel Stein's knowledge, skills, and experience relevant to such driver qualification requirements.

Mr. Stein currently holds a CDL, however, it is not required for the activities of solid waste collection for the size and weight of the vehicle in use.

- b. Please describe the driver qualification requirements expected to apply to Superior when operating under its requested certificate.