

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET NO. TG-032075
)	
Rubatino Refuse Removal, Inc.)	ORDER NO. 01
Permit No. G-58)	
)	
Petitioner,)	
)	
Seeking Exemption from the Provisions)	ORDER GRANTING TEMPORARY
of WAC 480-70-396 Relating to Billing.)	EXEMPTION
.....)	

BACKGROUND

- 1 On December 16, 2003, Rubatino Refuse Removal, Inc., (Rubatino or Company) under Permit Number G-58 filed with the Commission a petition requesting an exemption from the billing rules in WAC 480-70-396. The purpose of the exemption is to allow Rubatino to use up its billing card stock that does not meet the requirements in WAC 480-70-396.

- 2 WAC 480-70-396 states the bill must show a delinquency date. The billing card stock currently in use by the Company does not list a delinquency date. Rubatino states that it has about six months of billing card stock remaining. The Company requests an exemption from WAC 480-70-396 until its billing card stock is used up.

FINDINGS AND CONCLUSIONS

- 3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of

public service companies, including solid waste companies. *RCW 80.01.040; Chapter 81.04 RCW; Chapter 81.28 RCW and Chapter 81.77 RCW.*

- 4 (2) Rubatino Refuse Removal, Inc., is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) Rubatino Refuse Removal, Inc., is subject to the provisions of WAC 480-70-396 requiring that solid waste companies print the delinquency date on the bill.
- 6 (4) WAC 480-70-051 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-70 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 7 (5) Staff has reviewed the request in Docket TG-032075 and recommended the exemption requested by Rubatino Refuse Removal, Inc., be granted, subject to a six-month time limit to come into compliance.
- 8 (6) This matter was brought before the Commission at its regularly scheduled meeting on March 24, 2004.
- 9 (7) After review of the petition filed in Docket TG-032075 by Rubatino Refuse Removal, Inc., on December 16, 2003, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

O R D E R

THE COMMISSION ORDERS:

- 10 (1) The exemption of WAC 480-70-396 sought by Rubatino Refuse Removal, Inc., to allow use of billing card stock without a delinquency date until September 30, 2004, is granted.
- 11 (2) Failure by Rubatino Refuse Removal, Inc., to begin using updated billing card stock showing the correct delinquency date by September 30, 2004, may result in the Commission invoking provisions of Chapter 81.04 RCW that provide for penalty assessments.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective this 24th day of March, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary