

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Tariff to Increase Rates)	DOCKET TG-120698
Due to a Disposal Fee Increase Filed By)	
)	ORDER 01
)	
)	
)	ORDER GRANTING EXEMPTION
)	FROM RULE AND ALLOWING
SANITARY SERVICE COMPANY, INC.,)	TARIFF TO BECOME EFFECTIVE
G-14)	BY OPERATION OF LAW
.....)	

BACKGROUND

- 1 On May 15, 2012, Sanitary Service Company, Inc. (Sanitary Service or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 8 (Page No.'s 1, 18, 23, 24, 26, 27, 28, 35, 38, 39, 42, 43 and 46) to increase rates for solid waste collection for approximately 25,500 residential and commercial regulated customers in Southwestern Whatcom County. The proposed rates would generate \$99,302 (1.0 percent) additional annual revenue. On May 30, 2012, the Company filed replacement pages (Page No.'s 23, 27, 28, 42, 43 and 46) to correct ministerial errors to its original filing. The Company's last rate increase became effective on June 1, 2011, and was based on lower disposal fees.
- 2 The disposal fee charged by Recomp of Washington will increase from \$94.19 per ton to \$98.04 per ton and the disposal fee charged by Recycling and Disposal Services, Inc., will increase from \$83.25 per ton to \$84.00 per ton. A disposal fee increase falls within the definition of a general rate increase pursuant to WAC 480-07-505.
- 3 WAC 480-07-520 lists the minimum required information the Company must provide in a general rate increase filing. The Company provided information pertinent to the disposal fee increase but did not provide the remainder of the information required by the rule.
- 4 WAC 480-07-110 allows the Commission to grant an exemption from or modify the application of its rules if consistent with the public interest, the purposes underlying regulation, and applicable statutes. See also WAC 480-70-051.

- 5 Commission Staff reviewed the tariff request together with other factors and recommends the Commission allow the tariff to become effective by operation of law, and on its own motion, grant an exemption from the rule for this filing for the following reason(s):
- (a) There have not been any significant changes since the last rate case that became effective June 1, 2011. The Company has not changed its collection methods, inflation has been low and, but for the increase in disposal and recycling fees, current financial information is not greatly changed from 2011.
 - (b) The increased disposal fees are set by Whatcom County and are required as a part of the Company's operations.
 - (c) The Company's financial information supports the proposed revenue requirement and the proposed rates.
 - (d) Staff concluded the proposed rate increase, by reason of the increase in disposal fees, is fair, just, and reasonable.

FINDINGS AND CONCLUSIONS

- 6 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts and affiliated interests of public service companies, including solid waste companies. RCW 80.01.040, RCW 81.01, RCW 81.04, RCW 81.16, RCW 81.28 and RCW 81.77.
- 7 (2) Sanitary Service is engaged in the business of providing solid waste services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 8 (3) Sanitary Service is subject to the filing requirements of WAC 480-07-520, for general rate increase proposals.
- 9 (4) Under WAC 480-07-110, the Commission may grant an exemption from the provisions of any rule in WAC 480-70, if consistent with the public interest, the purposes underlying regulation and applicable statutes. See also WAC 480-70-051.

- 10 (5) This matter came before the Commission at its regularly scheduled meeting on June 28, 2012.
- 11 (6) After reviewing the tariff revisions Sanitary Service filed in Docket TG-120698 on May 15, 2012, and giving due consideration, the Commission finds:
- (a) An exemption from the general rate increase filing requirements set forth in WAC 480-07-520 is in the public interest and consistent with the purposes underlying regulation, and applicable statutes and should be granted; and
- (b) It is in the public interest to allow the tariff revisions to Tariff No. 8 filed on May 15, 2012, and as revised on May 30, 2012, to become effective on July 1, 2012, by operation of law.

O R D E R

THE COMMISSION ORDERS:

- 12 (1) The Commission retains jurisdiction over the subject matter and Sanitary Service Company, Inc., to effectuate the provisions of this Order.
- 13 (2) On the effective date of this Order, Sanitary Service Company, Inc., is granted an exemption from WAC 480-07-520 for purposes of the tariff filed in Docket TG-120698 on May 15, 2012, and as revised on May 30, 2012.
- 14 (3) The Commission takes no action on the tariff implementing increased rates for Sanitary Service Company, Inc., customers and allows it to become effective on July 1, 2012, by operation of law.

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 June 28, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary