# BEFORE THE WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Petition of	) DOCKET NO. TG-050685
Waste Management of Washington, Inc.	) ) ORDER NO. 01 )
Petitioner,	) )
Seeking Exemption from the Provisions of WAC 480-70-071 Relating to Filing of	ORDER GRANTING EXEMPTION FROM RULE AND GRANTING
Annual Reports by Solid Waste  Companies	) COMPANY ADDITIONAL TIME ) TO FILE ANNUAL REPORT )

## **BACKGROUND**

- On April 29, 2005, Waste Management of Washington, Inc., (Waste Management or the Company) filed with the Commission a petition requesting an extension of time to file its 2004 annual report as required by WAC 480-70-071. According to the Company, it is unable to prepare the report due to the extensive nature of compiling the Company's information for the eleven hauling districts, two landfills, and several other recycling and transfer station facilities in Washington State. The Company seeks an extension until July 1, 2005.
- 2 Commission Staff reviewed the request and recommended granting Waste Management's request for exemption, on condition that Waste Management must file its 2004 annual report no later than July 1, 2005.

### FINDINGS AND CONCLUSIONS

The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate 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) Waste Management is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- Waste Management is subject to the provisions of RCW 81.04.080 and WAC 480-70-071 requiring solid waste companies to file an annual report by May 1st of each year.
- (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. WAC 480-70-071 (1)(c) provides that the Commission may grant an extension of time allowing the Company to file its annual report after the May 1<sup>st</sup> due date if the Commission receives a request for extension before May 1<sup>st</sup>.
- 7 (5) This matter was brought before the Commission at its regularly scheduled meeting on May 11, 2005.
- 8 (6) After review of the petition filed in Docket TG-050685 by Waste Management on April 29, 2005, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

#### ORDER

#### THE COMMISSION ORDERS:

9 (1) The exemption sought by Waste Management of Washington, Inc., for an extension until July 1, 2005, to file its 2004 annual report is granted.

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- 10 (2) Failure by Waste Management of Washington, Inc., to file its 2004 annual report by July 1, 2005, may result in the Commission invoking provisions of Chapter 81.04 RCW that provide for penalty assessments.
- 11 (3) The Commission retains jurisdiction over the subject matter and Waste Management of Washington, Inc., to effectuate the provisions of this Order.

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 11th day of May, 2005.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary