# BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Request of

STANLEY'S SANITARY SERVICE LLC.

Petitioner,

For Less Than Statutory Notice in Connection with Tariff Revisions

**DOCKET TG-160523** 

ORDER 01

ORDER GRANTING LESS THAN STATUTORY NOTICE; ALLOWING TARIFF REVISIONS

#### **BACKGROUND**

- On May 18, 2016, Stanley's Sanitary Service LLC, (Stanley's or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 3, designated as 1<sup>st</sup> Revised Page No. 2, 1<sup>st</sup> Revised Page 24, and 1<sup>st</sup> Revised Page No. 30. The purpose of this filing is an Item 230 Disposal Fees, drop box pass-thru rate increase, and Item 100 Residential Service adding a note (Note 9) specifying service items 240, 245, 260, and 265 may be used by residential customers.
- RCW 81.28.050 and WAC 480-70-266 require 45 days' notice to the Commission prior to the effective date of the tariff. The tariff sheets bear an effective date of July 3, 2016. This date recognizes statutory notice as required. Stanley's requests, however, less than statutory notice as permitted in WAC 480-70-276, and that the revisions become effective June 10, 2016. Stanley's requests less than statutory notice because the increased rates at the transfer station went into effect on April 1, 2016.
- WAC 480-70-271 requires solid waste companies to provide each affected customer a notice at least 30 days before the requested effective date when a solid waste company proposes to increase rates. Granting Stanley's less than statutory notice request also requires an exemption from WAC 480-70-271. For the same reason(s) identified by Stanley's for seeking less than statutory notice, the Company seeks an exemption from customer notice requirements.
- These tariff revisions are necessary because WAC 480-70-341 requires a solid waste company to charge its customers the disposal fees contained in the Company's lawfully filed tariffs applicable to the disposal site used for disposal.

Since the proposed tariff revisions appear to be fair, just, reasonable, and sufficient, and less than statutory notice is consistent with the public interest, it is appropriate that the Commission grant Stanley's request with an effective date of June 10, 2016.

### 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 the rates, 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) Stanley's is a solid waste company and a public service company subject to Commission jurisdiction.
- 8 (3) Stanley's is subject to RCW 81.28.050 and WAC 480-70-266, which require solid waste companies to file changes in any rate or charge with 45 days' notice. For good cause shown, however, the Commission may allow changes without requiring 45 days' notice by order specifying the changes to be made and the time when it shall take effect. See also WAC 480-70-276.
- 9 (4) Under WAC 480-70-051 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 480-07-110.
- 10 (5) Staff has reviewed Stanley's request in Docket TG-160523 and recommends the Commission grant the Company's less than statutory notice request. Staff further recommends the Commission grant an exemption from WAC 480-70-271 and require Stanley's to notify customers by bill insert.
- This matter came before the Commission at its regularly scheduled meeting on June 9, 2016.
- 12 (7) After reviewing Stanley's proposed tariff revisions filed on May 18, 2016, in this docket and giving due consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revisions should become effective June 10, 2016.

13 (8) The Commission also finds Stanley's should be granted an exemption to the customer notice requirements.

### **ORDER**

## THE COMMISSION ORDERS:

- 14 (1) Stanley's Sanitary Service LLC's request for less than statutory notice is granted.
- 15 (2) After the effective date of this Order, Stanley's Sanitary Service LLC is granted an exemption from WAC 480-70-271, which requires notice to customers.

  Stanley's Sanitary Service LLC must provide notice to customers by bill insert.
- 16 (3) The tariff revisions Stanley's Sanitary Service LLC filed on May 18, 2016, will be effective on June 10, 2016.

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 9, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary