

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
STAFF RESPONSES TO DATA REQUESTS

DATE PREPARED: January 13, 2025 DOCKET: TG-240189 REQUESTER: Waste Management	WITNESS: Bridgit Feeser RESPONDER: Bridgit Feeser EMAIL: Bridgit.Feeser@utc.wa.gov
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DATA REQUEST NO. 35:

Refer to Feeser Rebuttal, Exh. BF-4T at 11:6-21. In her direct testimony, Ms. Feeser stated that “Staff is unaware of a compliance program to ensure the Company provides services to its customers as outlined in [its] tariff.” Feeser Direct, Exh. BF-1T at 17:19-20. Defending that statement in the indicated passage of the rebuttal testimony, Ms. Feeser discusses how Staff “considers whether a regulated entity has a compliance program that addresses the violations at issue[.]” (Emphasis added.) In this regard:

- a. Is it Staff’s understanding that this factor under the Enforcement Policy is limited to a company’s compliance program only as it relates to the violations in a particular case, or does the Commission properly consider the sufficiency of the company’s program for compliance with WUTC regulation more broadly? Please explain.
- b. Please identify each Commission order or legal authority of which Staff is aware that supports your response to (a).

RESPONSE:

Objection. Overly broad and burdensome; seeks information that is publicly available. Without waiving the objection, Staff provides the following response:

- a. Staff appears before the Commission as a party. Staff cannot answer how broadly the Commission considers company’s compliance programs. However, in a formal compliance investigation, Staff searches for compliance plans that are relevant to the violations found in that particular investigation. For instance, Staff did not report in the investigation report for this current investigation that Waste Management has a compliance plan about their communications and outreach plan for Major Service Disruptions, as this is not relevant to the current case. If Staff conducts an investigation in the future about WMW service disruptions, Staff would report their knowledge of the Company’s compliance plan.
- b. See Staff’s Response to Waste Management Data Request No. 4 for past compliance cases. To the extent that the orders in those cases address compliance plans, they may provide guidance regarding how the Commission views compliance programs.