

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

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| In the Matter of Tariff Revisions to |) | DOCKET TG-132154 |
| Increase Rates Due to a Disposal Fee |) | |
| Increase Filed by |) | ORDER 01 |
| |) | |
| CUMMINS, JEFFEREY DBA |) | |
| COMMUNITY WASTE & RECYCLING, |) | ORDER GRANTING EXEMPTION |
| |) | FROM RULE, AND GRANTING |
| Certificate G-219 |) | LESS THAN STATUTORY NOTICE |
| |) | |

BACKGROUND

- 1 On November 22, 2013, Cummins, Jefferey dba Community Waste & Recycling (Cummins or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to Tariff 4 to recover the increased cost of disposal fees. The tariff pages show January 7, 2014, as the effective date and the Company asked the Commission to approve the proposed changes to become effective on less than statutory notice. The Company serves approximately 300 customers in Cowlitz County. The Company's last general rate increase became effective on January 1, 1998.

- 2 On December 1, 2013, Cowlitz County Department of Public Works increased disposal fees from \$37.30 per ton to \$49.00 per ton at the Cowlitz County Landfill. Staff's analysis shows the Company's proposed rate increase to recover these increased fees would generate approximately \$3,100 (12 percent) additional annual revenue.

- 3 A disposal fee increase falls within the definition of a general rate increase pursuant to WAC 480-07-505. 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 and requested an exemption from the work paper filing requirements of WAC 480-07-520(4).

- 4 WAC 480-70-266 requires a company to provide at least forty-five calendar-days' notice to the commission on any filing that will result in an increase in rates or charges to customers.

- 5 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.

- 6 Commission Staff reviewed the proposed tariff request together with other factors and recommends the Commission grant the Company's request that the proposed tariff revisions become effective January 1, 2014, on less than statutory notice, and grant the Company an exemption from WAC 480-07-520(4), work paper filing requirements for this filing for the following reasons:
- (a) There have not been any significant changes since the last rate case that became effective on January 1, 1998. Reviewing the rate case documents, customer numbers are relatively unchanged, inflation has been low, and the Company has not changed its collection methods.
 - (b) The increased disposal fees are set by Cowlitz County Department of Public Works 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.
 - (e) The company serves primarily residential customers and rates are published for monthly service, making it impractical to bill an increase for a partial month of service. The increased disposal fees became effective on December 1, 2013, and the Company would lose another entire month of the increased disposal fees if the increased rates were to become effective February 1, 2013.

DISCUSSION

- 7 The Commission concurs with Staff's recommendation. The purpose of the work paper filing requirements in WAC 480-07-520(4) is to provide the Commission with information to determine whether a proposed rate increase is fair, just, reasonable, and sufficient. Here, the Company has provided sufficient information to enable the Commission to make that determination, and providing the additional information the rule requires would be unnecessary and unduly burdensome. Accordingly, an exemption from this requirement for purposes of the filing in this docket is consistent with the public interest and the purposes underlying the rule and should be granted. We also agree that it is reasonable to grant the Company's request to make the tariff revisions effective

January 1, 2014, on less than statutory notice to allow the company to begin recovering the increased disposal fees that became effective December 1, 2013.

FINDINGS AND CONCLUSIONS

- 8 (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, and accounts of public service companies, including solid waste companies.
- 9 (2) Cummins 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.
- 10 (3) Cummins is subject to the filing requirements of WAC 480-07-520, for general rate increase proposals. The Company requested an exemption from WAC 480-07-520(4) and did not file the work papers required by WAC 480-07-520(4).
- 11 (4) This matter came before the Commission at its regularly scheduled meeting on December 12, 2013.
- 12 (5) An exemption from general rate increase filing requirements set forth in WAC 480-07-520(4) for the filing in this docket is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.
- 13 (6) It is in the public interest to grant the Company's request to make the revisions to Tariff 4 filed on November 22, 2013, effective on January 1, 2014, on less than statutory notice.

ORDER

- 14 THE COMMISSION GRANTS Cummins, Jefferey dba Community Waste & Recycling's, request for an exemption from WAC 480-07-520(4), for purposes of the tariff revisions filed in Docket TG-132154 on November 22, 2013, and grants the request to make the revisions to Tariff 4 filed on November 22, 2013, effective on January 1, 2014, on less than statutory notice.

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 December 12, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary