

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of

Regulatory Fees to be Paid Under the  
Provisions of RCW Titles 80 and 81

DOCKET A-140166

ORDER 03

ORDER SETTING OR MAINTAINING  
REGULATORY FEES

**BACKGROUND**

- 1 RCW Title 80 and RCW Title 81 authorize the Washington Utilities and Transportation Commission (Commission) to set and impose regulatory fees sufficient to pay the reasonable costs of supervising and regulating public service companies subject to Commission jurisdiction. The following statutes set out the Commission’s specific authority, by industry, for imposing regulatory fees:

|                |  |
|----------------|--|
| RCW 80.04.580  | Wastewater Companies   |
| RCW 80.24.010  | Electric, Gas, Water, Telecommunications, and Irrigation Companies |
| RCW 81.24.010  | Petroleum Pipeline Companies and Railroad Companies                |
| RCW 81.24.020  | Auto Transportation Companies                                      |
| RCW 81.24.030  | Commercial Ferries   |
| RCW 81.66.030  | Special Needs Transportation Companies                             |
| RCW 81.70.350  | Charter and Excursion Service Companies                            |
| RCW 81.77.080  | Solid Waste Collection Companies                                   |
| RCW 81.80.321  | Common Carriers and Contract Carriers                              |
| RCW 81.108.090 | Low Level Radioactive Waste Companies                              |

- 2 The Commission considers the funds available in the public service revolving fund when setting or determining whether to change the amount of regulatory fees. Some regulatory fees must be established annually, while others remain in place until changed by Commission order. Historically, the Commission set the amount of these regulatory fees periodically by separate order for each regulated industry. In 2014, the Commission determined that setting regulatory fees for all industries in one docket would conserve Commission time and resources.

3 Accordingly, Commission staff (Staff) recently conducted a review of all individual industry accounts in the public service revolving fund and calculated the approximate amounts required to fund Commission operations. Staff recommends setting or maintaining regulatory fees at the maximum amounts authorized by statute except in the case of solid waste collection companies, motor carriers other than household goods carriers, and low level radioactive waste companies. Based on its review, Staff finds that regulatory fees for solid waste collection companies should increase proportionate to the costs the Commission incurs to regulate that industry. Staff proposes that the Commission set regulatory fees in the amounts specified in Appendix A, and that those fees remain at those levels unless and until the Commission changes them by future order.

### **DISCUSSION**

4 The Commission adopts Staff's recommendation and orders each regulated company to pay the applicable regulatory fees listed in Appendix A unless and until the Commission changes those fees in a future order. Appendix A increases regulatory fees for solid waste collection companies from 0.4275 percent to 0.51 percent of gross operating revenue and maintains regulatory fees for all other industries.

### **FINDINGS AND CONCLUSIONS**

- 5 (1) The Commission has jurisdiction to set, increase, or decrease regulatory fees for the public service companies it regulates.
- 6 (2) The Commission, being advised, has considered all monies on hand and the fees currently to be paid and determined that regulatory fees should be set for regulated industries as detailed in Appendix A.
- 7 (3) The fees set or modified in this order should remain in effect until altered by future Commission order.

### **ORDER**

#### **THE COMMISSION ORDERS:**

- 8 (1) All public service companies subject to the Commission's jurisdiction shall pay regulatory fees in the amounts set out in Appendix A.

- 9 (2) The fees established in this order shall remain in effect until changed by the Commission.

DATED at Olympia, Washington, and effective February 23, 2017.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

DAVID W. DANNER, Chairman

PHILIP B. JONES, Commissioner

ANN E. RENDAHL, Commissioner

**APPENDIX A**  
**Annual Regulatory Fees**

|  |   |
|--|---|
| Wastewater Companies<br><i>RCW 80.04.580</i>   | None established at this time.  |
| Electric, Gas, Water, Telecommunications,<br>and Irrigation Companies<br><i>RCW 80.24.010 / WAC 480-100-252</i><br><i>(electric) / WAC 480-90-252 (gas) /</i><br><i>WAC 480-110-505 (water) / WAC 480-</i><br><i>120-382 and -385 (telecomm)</i> | 0.1% (.001) of the first fifty thousand dollars of gross operating revenue, plus 0.2% (.002) of any gross operating revenue in excess of fifty thousand dollars.  |
| Petroleum Pipelines<br><i>RCW 81.24.010 / WAC 480-73-160</i>   | 0.1% (.001) of the first fifty thousand dollars of gross operating revenue, plus 0.2% (.002) of any gross operating revenue in excess of fifty thousand dollars.  |
| Railroad Companies<br><i>RCW 81.24.010 / WAC 480-62-300</i>  | Class I companies and companies that haul crude oil:<br>2.5% (.025) of intrastate gross operating revenues.<br>Class II/III companies that do not haul crude oil:<br>1.5% (.015) of intrastate gross operating revenues. <sup>1</sup> |
| Auto Transportation Companies<br><i>RCW 81.24.020 / WAC 480-30-076(1)</i>  | 0.4% (.004) of the amount of gross operating revenue from intrastate operations, with a minimum fee of \$20 AND a fee waiver for companies earning less than \$5,000 annually.  |
| Commercial Ferries<br><i>RCW 81.24.030 / WAC 480-51-100</i>  | 0.4% (.004) of the amount of gross operating revenue from intrastate operations.  |

<sup>1</sup> Railroad companies seeking a fee exemption as a nonprofit charitable organization under federal revenue code section 501(c)(3) must file a letter with the Commission.

|   |   |
|---|---|
| Special Needs Transportation Companies<br><i>RCW 81.66.030 / WAC 480-31-080</i>                       | \$10 per vehicle.   |
| Charter and Excursion Service Companies<br><i>RCW 81.70.350 / WAC 480-30-076(2)</i>                   | \$25 per vehicle, with a minimum fee of \$25.   |
| Solid Waste Collection Companies<br><i>RCW 81.77.080 / WAC 480-70-076</i>                             | 0.51% (.0051) of the amount of gross operating revenue. <sup>2</sup>  |
| Motor Carriers – Household Goods Carriers<br><i>RCW 81.80.321 / WAC 480-14-150 and WAC 480-15-480</i> | 0.25% (0.0025) of the gross income from intrastate (Washington) operations, based on the previous calendar year's operations. |
| Motor Carriers – All Others<br><i>RCW 81.80.321 / WAC 480-14-150</i>                                  | Zero. <sup>3</sup>  |
| Low Level Radioactive Waste Companies<br><i>RCW 81.108.090 / WAC 480-92-050</i>                       | Zero. <sup>4</sup>  |

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<sup>2</sup> This is a reduction from the statutory maximum regulatory fee for solid waste collection companies of one percent (.01) of the amount of gross operating revenue.

<sup>3</sup> Motor carriers (other than household goods carriers) participate in and pay all required fees through the nationwide Uniform Carrier Registration (UCR) program. Therefore, the Commission does not impose any additional regulatory fees on this industry.

<sup>4</sup> The statutory maximum regulatory fee for low level radioactive waste companies is one percent (.01) of the amount of gross operating revenue, exclusive of site surveillance fees, perpetual care and maintenance fees, site closure fees, and state or federally imposed out-of-region surcharges. The Commission currently incurs minimal costs to regulate this industry and thus does not impose any regulatory fees on the sole company the Commission regulates.