

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Request of  
  
SANITARY DISPOSAL, INC.,  
  
                                Petitioner,  
  
For Less Than Statutory Notice in  
Connection with Tariff Revisions

DOCKET TG-160812  
  
ORDER 01  
  
ORDER GRANTING LESS THAN  
STATUTORY NOTICE; ALLOWING  
TARIFF REVISION

**BACKGROUND**

- 1       On June 15, 2016, Sanitary Disposal, Inc., (Sanitary or Company) filed with the Washington Utilities and Transportation Commission (Commission) a revision to its currently effective Tariff No. 4, designated as Check List and Item 230. To increase the disposal fee at Sanitary Disposal Transfer Station for drop box customers only.
  
- 2       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 sheet bears an effective date of August 1, 2016. This date recognizes statutory notice as required. Sanitary requests, however, less than statutory notice as permitted in WAC 480-70-276, and that the revision becomes effective July 1, 2016. Sanitary requests less than statutory notice because of the short time between Umatilla County approving the disposal fee increase and the date the disposal fee increase becoming effective.
  
- 3       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 notify effected customers with their next invoice. Granting Sanitary’s less than statutory notice request also requires an exemption from WAC 480-70-271. For the same reason(s) identified by Sanitary for seeking less than statutory notice, the Company seeks an exemption from customer notice requirements.
  
- 4       The Board of Commissioners of Umatilla County, Oregon issued order BCC2016-041 on June 15, 2016. This order increases the disposal fee at the Sanitary Disposal Transfer Station effective July 1, 2016. County decisions are out of the control of Sanitary. Sanitary acted responsibly by filing the tariff revisions in an expedient fashion and requesting the UTC approve the increase on less than statutory notice.

5 Since the proposed tariff revision appears 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 Sanitary's request with an effective date of July 1, 2016.

### **FINDINGS AND CONCLUSIONS**

- 6 (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,  
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) Sanitary is a solid waste company and a public service company subject to  
Commission jurisdiction.
- 8 (3) Sanitary 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 Sanitary's request in Docket TG-160812 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 Sanitary to notify customers by billing insert in the next customer  
invoicing.
- 11 (6) This matter came before the Commission at its regularly scheduled meeting on  
June 23, 2016.
- 12 (7) After reviewing Sanitary's proposed tariff revision filed on June 15, 2016 and as  
revised on June 17, 2016, in this docket and giving due consideration to all

relevant matters and for good cause shown, the Commission finds the proposed tariff revision should become effective July 1, 2016.

- 13 (8) The Commission also finds Sanitary should be granted an exemption to the customer notice requirements.

**ORDER**

**THE COMMISSION ORDERS:**

- 14 (1) Sanitary Disposal, Inc.'s request for less than statutory notice is granted.
- 15 (2) After the effective date of this Order, Sanitary Disposal, Inc. is granted an exemption from WAC 480-70-271, which requires notice to customers. Sanitary Disposal, Inc. must provide notice to customers by billing insert in the next customer invoicing by July 8, 2016.
- 16 (3) The tariff revision Sanitary Disposal, Inc. filed on June 15, 2016 and as revised on June 17, 2016, will be effective on July 1, 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 23, 2016.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**STEVEN V. KING, Executive Director and Secretary**