

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Tariff Revisions to
Increase Rates Due to a Disposal Fee
Increase Filed by

EXCESS DISPOSAL, INC. D/B/A
EXCESS DISPOSAL SERVICES,

Certificate G-107

DOCKET TG-180180

ORDER 01

ORDER GRANTING EXEMPTION
FROM RULE; GRANTING LESS
THAN STATUTORY NOTICE

BACKGROUND

- 1 On February 28, 2018, Excess Disposal, Inc. d/b/a Excess Disposal Services (Excess Disposal or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its Tariff 15 to recover the increased cost of disposal fees. Although the tariff pages reflect an effective date of April 16, 2018, the Company requested the Commission allow the proposed changes to become effective on Less than Statutory Notice. The Company serves approximately 900 customers in Pend Oreille County. The Company's last general rate increase became effective on March 1, 2014.
- 2 On December 18, 2017, the Board of County Commissioners of Pend Oreille County voted to increase disposal fees from \$143 per ton to \$149 per ton at the Deer Valley, Usk, and Ione Transfer Stations effective April 1, 2018. Staff's analysis shows the Company's proposed rate increase to recover these increased fees would generate approximately \$8,800 (1.6 percent) additional annual revenue. In February 2018, the Company was verbally notified by the Board of County Commissioners that the rate increase was being delayed, and subsequently was notified via email that the rate increase would, in fact, become effective April 1, 2018. The Company received the email notification inside the 45-day notice period and therefore is requesting the tariff revisions be approved with Less than Statutory Notice.
- 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; instead the company requested an exemption from the work paper filing requirements of WAC 480-07-520(4).

4 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.¹

5 WAC 480-70-266 requires a company to provide at least 45 calendar-days' notice to the Commission for any filing that will result in an increase in rates or charges to customers.

6 Commission Staff reviewed the proposed tariff revisions together with other factors and recommends the Commission grant the Company's request that the proposed tariff revisions become effective April 1, 2018, on Less than Statutory Notice, and grant the Company an exemption from WAC 480-07-520(4), work paper filing requirements, for the following reasons:

- (a) The company received the email notification of the disposal fee increase within the 45-day notice period.
- (b) There have not been any significant changes since the last rate increase, which became effective on March 1, 2014. Customer numbers are relatively unchanged, inflation has been low, and the Company has not changed its collection methods.
- (c) The increased disposal fees are set by the Board of County Commissioners of Pend Oreille County and are required as a part of the Company's operations.
- (d) The Company's financial information supports the proposed revenue requirement and the proposed rates.
- (e) Staff concluded the proposed rate increase, by reason of the increase in disposal fees, is fair, just, reasonable, and sufficient.

¹ See also WAC 480-70-051.

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 find it reasonable to grant the Company's request to allow the tariff revisions to become effective on April 1, 2018, on Less than Statutory Notice, to allow the Company to begin recovering the increased disposal fees that also become effective on that date.

FINDINGS AND CONCLUSIONS

- 8 (1) The 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) Excess Deposal 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) Excess Deposal is subject to the filing requirements of WAC 480-07-520, for general rate increase proposals. The Company did not file the work papers required by WAC 480-07-520(4); instead, it requested an exemption from the requirement.
- 11 (4) This matter came before the Commission at its regularly scheduled meeting on March 29, 2018.
- 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 allow the revisions to Tariff 15 filed on February 28, 2018, to become effective on April 1, 2018, on less than statutory notice.

ORDER

- 14 **THE COMMISSION GRANTS** Excess Disposal, Inc. d/b/a Excess Disposal Services' request for an exemption from WAC 480-07-520(4), for purposes of the tariff revisions filed in Docket TG-180180 on February 28, 2018, and grants the Company's request to allow the revisions to become effective on April 1, 2018, 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 March 29, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary