



WASHINGTON REFUSE & RECYCLING ASSOCIATION

December 20, 2013

Mr. Steven V. King
Executive Director & Secretary
Washington Utilities and
Transportation Commission
PO Box 47250
1300 S. Evergreen Park Dr. SW
Olympia, WA 98504-7250

Re: *Docket A-130355: Part I*

Dear Mr. King:

Please consider the following to be comments on behalf of Washington Refuse and Recycling Association (WRRA) relative to proposed procedural rules, "Part I." As you are aware, WRRA has previously filed comments on the original entire proposal which was, of course, much more general in scope than this specific draft. We urge the Commission to continue to consider those comments, along with the following, as we consider them to have continued relevance as this process progresses. Also, as is generally the case, individual certificate holders may file comments on their own behalf, as they have done in the past, and we trust they will be given serious consideration by the Commission. WRRA's comments are intended to be an overview of the general position of the industry, while those of individual companies will be more specific in nature. With that in mind, we offer the following:

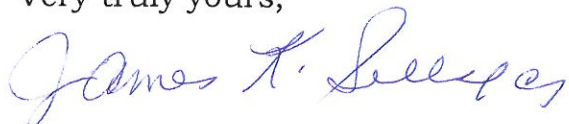
- Part I relates to the "day-to-day" operations of the Commission and is of importance to our members for the simple reason that anything which streamlines and/or simplifies filings, responses and the like is welcomed by the industry. The draft Part I rules do that, and staff is to be complimented on their efforts.
- We particularly appreciate the draft as it relates to electronic filing of documents. This would bring the Commission in line with Federal Courts and many Superior Court, while saving everyone involved time and resources, which will eventually benefit the ratepayer.

- In regard to WAC 480-07-141 we understand the necessity that documents be filed in accordance with the rules, and that there be some deficiencies in the document itself, or in procedural aspects of the filing itself. This is particularly important to the smaller certificate holders who generally do the filing themselves without the benefit (or cost) of professional assistance. We believe that in the case of an incorrect filing, the Commission "should" notify the filing party rather than "may" provide such notice, giving the filer a reasonable, and certainly short, time to make corrections. If the corrections are not made within that time period, perhaps five days, then the filing would be rejected. Again, the time and other resources saved will eventually benefit the ratepayer, as well as make life simpler for the company and Commission staff.
- The service requirements changes in WAC 480-07-150 appear to be appropriate. Although it may not be an issue, based on past experience, we would suggest a clarification that the term "parties" includes "interested parties." WRRRA is frequently an "interested party" in adjudicative proceedings, as well as an intervenor in others and, as such, wants the Rules to be clear that service of all pleadings/documents is to be made on an interested party as well as the primary parties.
- Finally, WRRRA acknowledges that Title 81 RCW does not provide for confidentiality as does Title 80. However, as the Commission is aware, we are seriously seeking legislative approval of application of the Title 80 confidentiality provisions to Title 81. Hopefully this will occur in the upcoming legislative session, and the language in 480-07-160 regarding the lack of a confidentiality provision in Title 81 will be unnecessary. In view of that, we suggest that this language be "on hold" pending legislative action. This may well not be a problem, considering the time lines for this entire rulemaking, but it would be a burden upon the Commission and the affected certificate holders to adopt this language only to have to revise it again upon favorable legislative action. The remainder of the proposed draft on this issue appears to be appropriate and consistent with the statute, and should Title 81 entities become subject to it we will, of course, comply with the law and the rule.

Again, thank you for the opportunity to comment on this draft. WRRRA will be an active participant at the January 15, 2014 workshop and looks forward to that participation, along with representatives from our individual members. "Procedure" is very important to everyone involved, and the Part I draft goes a

long way toward making these procedures more "user friendly" for the regulated companies and Commission staff.

Very truly yours,

A handwritten signature in blue ink that reads "James K. Sells". The signature is written in a cursive style with a large, prominent initial "J".

JAMES K. SELLS

General Counsel

Washington Refuse and Recycling Association