

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Tariff to Increase Rates	)	DOCKET TG-110099
Due to a Disposal Fee Increase Filed By	)	
	)	ORDER 01
	)	
AMERICAN DISPOSAL COMPANY,	)	
INC., G-87	)	ORDER GRANTING EXEMPTION
	)	FROM RULE AND ALLOWING
	)	TARIFF TO BECOME EFFECTIVE
	)	BY OPERATION OF LAW
.....	)	

**BACKGROUND**

- 1 On January 12, 2011, American Disposal Company, Inc. (American or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 25, pages 1, 21, 22, 25, 26, 27, 28, 32, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48 and 49 to increase rates due to a disposal fee increase. A disposal fee increase falls within the definition of a general rate increase pursuant to WAC 480-07-505.
- 2 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.
- 3 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.*
- 4 Commission Staff reviewed the tariff request together with other factors and recommended the Commission allow the tariff to become effective by operation of law, and on its own motion, grant an exemption from the rule for this filing for the following reason(s):
  - (a) Upon reviewing the last rate case documents, Staff notes no significant changes since the last rate case that became effective March 1, 2010, Docket TG-100108.

- (b) Disposal fees are set by Pierce County through its agreement with the landfill operator; Pierce County Recycling, Composting and Disposal, LLC, d/b/a LRI, and are required as a part of American 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.

### FINDINGS AND CONCLUSIONS

- 5 (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, 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.*
- 6 (2) American 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.
- 7 (3) American is subject to the filing requirements of WAC 480-07-520, for general rate increase proposals.
- 8 (4) Under WAC 480-07-110, 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 480-70-051.*
- 9 (5) This matter came before the Commission at its regularly scheduled meeting on February 25, 2011.
- 10 (6) After reviewing the tariff revisions American filed in Docket TG-110099 on January 12, 2011, and giving due consideration, the Commission finds:
  - (a) An exemption from the general rate increase filing requirements set forth in WAC 480-07-520 is in the public interest and consistent with the

purposes underlying regulation, and applicable statutes and should be granted; and

- (b) It is in the public interest to allow the tariff revisions to Tariff No. 25 to become effective on March 1, 2011, by operation of law.

**O R D E R**

**THE COMMISSION ORDERS:**

- 11 (1) On the effective date of this Order, American Disposal Company, Inc., is granted an exemption from WAC 480-07-520 for purposes of the tariff filed in Docket TG-110099 on January 12, 2011.
- 12 (2) The Commission takes no action on the tariff implementing the disposal fee increase and allows it to become effective on March 1, 2011, by operation of law.
- 13 (3) The Commission retains jurisdiction over the subject matter and American Disposal Company, Inc., to effectuate the provisions of this Order.

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 February 25, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary