

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Tariff to Increase	)	DOCKET TG-121742
Rates Due to a Disposal Fee Increase	)	
Filed By	)	ORDER 01
	)	
	)	ORDER GRANTING EXEMPTION
	)	FROM RULE AND ALLOWING
ADA-LIN WASTE SYSTEMS, INC.,	)	TARIFF TO BECOME
D/B/A SUNSHINE DISPOSAL &	)	EFFECTIVE BY OPERATION OF
RECYCLING, G-104	)	LAW
.....	)	

**BACKGROUND**

- 1 On November 2, 2012, November 15, 2012, and December 7, 2012, Ada-Lin Waste Systems, Inc., d/b/a Sunshine Disposal & Recycling (Sunshine or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to Tariff No. 5.1 to increase rates due to a disposal fee increase. The Company serves approximately 370 customers in Spokane County. The Company's last general rate increase became effective on March 1, 2012.
- 2 On January 1, 2013, disposal fees will increase from \$104 per ton to \$107 per ton at the Spokane waste-to-energy facility and the Sunshine Recycler's transfer station, and from \$109 per ton to \$112 per ton at the Sullivan Road transfer station. The proposed rate increase would generate approximately \$900 (0.8 percent) additional annual revenue from disposal fees and become effective January 1, 2013.
- 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 but did not provide the remainder of the information required by the rule and requests an exemption from the work paper requirements of WAC 480-07-520.
- 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. See also WAC 480-70-051.

- 5 Commission Staff (Staff) reviewed the tariff request together with other factors and recommended the Commission allow the tariff to become effective by operation of law, and grant the Company's request for an exemption from WAC 480-07-520, work paper filing requirements for this filing for the following reasons:
- (a) There have not been any significant changes since the last rate case that became effective March 1, 2012. Reviewing the rate case documents, customer numbers are relatively unchanged, inflation has been low, and the Company has not changed its collection methods.
  - (b) The increased disposal fees are set by the Spokane Regional Solid Waste System and are required as a part of the Company's 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**

- 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, 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.
- 7 (2) Sunshine 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.
- 8 (3) Sunshine is subject to the filing requirements of WAC 480-07-520, for general rate increase proposals. The Company requested an exemption from WAC 480-07-520.
- 9 (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.

10 (5) This matter came before the Commission at its regularly scheduled meeting on December 13, 2012.

11 (6) After review of the petition filed in Docket TG-121742 by Sunshine on November 2, 2012, and giving due consideration, the Commission finds:

(a) The Company's request for an exemption from the general rate increase filing requirements set forth in WAC 480-07-520 is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted; and

(b) It is in the public interest to allow the revisions to Tariff No. 5.1 filed on November 2, 2012, November 15, 2012, and December 7, 2012, to become effective on January 1, 2013, by operation of law.

## **ORDER**

### **THE COMMISSION ORDERS:**

12 (1) After the effective date of this Order, Ada-Lin Waste Systems, Inc., d/b/a Sunshine Disposal & Recycling is granted an exemption from WAC 480-07-520, for purposes of the tariff revisions filed in Docket TG-121742 on November 2, 2012, November 15, 2012, and December 7, 2012 .

13 (2) The Commission retains jurisdiction over the subject matter and Ada-Lin Waste Systems, Inc., d/b/a Sunshine Disposal & Recycling, to effectuate the provisions of this Order.

14 (3) The Commission takes no action on the tariff revisions implementing the disposal fee increase and allows it to become effective on January 1, 2013, by operation of law.

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 December 13, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary