

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

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

BAINBRIDGE DISPOSAL, INC,

Certificate G-143

DOCKET TG-180469

ORDER 01

ORDER GRANTING EXEMPTION
FROM RULE

BACKGROUND

- 1 On May 30, 2018, Bainbridge Disposal, Inc (Bainbridge or Company) filed with the Washington Utilities and Transportation Commission (Commission) revisions to its Tariff 17 to recover the increased cost of disposal fees. The tariff revisions have a proposed effective date of **July 14, 2018**, and the Company requests Less Than Statutory Notice handling of this filing. The Company serves approximately 6,000 customers in Bainbridge Island. The Company's last general rate increase became effective on February 1, 2017.
- 2 On July 1, 2013, Kitsap County Public Works Department will increase disposal fees from \$71.00 per ton to \$75.00 per ton at the Olympic View Transfer Station. Commission Staff's (Staff) analysis shows that the Company's proposed rate increase to recover these increased fees would generate approximately \$29,500 (1.8 percent) additional annual revenue.
- 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 and 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

¹ See also WAC 480-70-051.

5 Staff reviewed the proposed tariff revisions and recommends the Commission allow the tariff to become effective by operation of law. Staff further recommends the Commission grant the Company an exemption from WAC 480-07-520(4), work paper filing requirements, for this filing for the following reasons:

- (a) There have not been any significant changes since the last rate increase became effective on February 1, 2017. 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 Kitsap County Public Works Department 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, which reflects an increase in disposal fees, is fair, just, and reasonable.

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 July 14, 2018. This date recognizes statutory notice as required. Bainbridge requests, however, less than statutory notice as permitted in WAC 480-70-276, and that the revision becomes effective July 1, 2018. The Company requests less than statutory notice because of workload constraints and having to obtain assistance from Commission Staff.

DISCUSSION

6 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.

7 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 the Company's request with an effective date of July 1, 2018.

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) Bainbridge 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) Bainbridge 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(4) and did not file the work papers required by WAC 480-07-520(4).
- 11 (4) Bainbridge 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.
- 12 (5) This matter came before the Commission at its regularly scheduled meeting on June 28, 2018.
- 13 (6) An exemption from the 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.
- 14 (6) It is in the public interest to allow the revisions to Tariff 17 filed on May 30, 2018, to become effective with Less Than Statutory Notice on **July 1, 2018**.

ORDER

- 15 **THE COMMISSION GRANTS** Bainbridge Disposal, Inc's request for Less Than Statutory Notice and an exemption from WAC 480-07-520(4), for purposes of the tariff revisions filed in Docket TG-180469 on May 30, 2018.
- 16 The tariff revisions Bainbridge Disposal, Inc., filed on May 30, 2018, will become effective on July 1, 2018.

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 28, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON, Executive Director and Secretary