

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

HAROLD LEMAY ENTERPRISES,
INC., d/b/a PIERCE COUNTY REFUSE,

Petitioner,

Seeking Exemption from the Provisions of
WAC 480-07-520 (4) Relating to the
Workpaper Requirement.

DOCKET TG-220823

ORDER 01

GRANTING EXEMPTION FROM
RULE

BACKGROUND

- 1 On November 7, 2022, Harold Lemay Enterprises, Inc., d/b/a Pierce County Refuse (PCR
or Company) filed with the Washington Utilities and Transportation Commission
(Commission) a petition requesting an exemption from WAC 480-07-520(4) (Petition).
- 2 WAC 480-07-520(4) requires that a solid waste company's initial filing must include all
work papers that support the company's rate change request.
- 3 In its Petition, PCR requests that Staff rely on the work papers previously audited in
Docket TG-220548 for this rate correction.
- 4 Commission Staff reviewed the request and recommends granting the Petition subject to
the condition that this will be a one-time exemption from WAC 480-07-520(4).

DISCUSSION

- 5 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.

FINDINGS AND CONCLUSIONS

- 6 (1) The 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.
- 7 (2) PCR 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) PCR is subject to the filing requirements of WAC 480-07-520, for general rate increase proposals. The Company requested a partial exemption from WAC 480-07-520(4) and did not file certain work papers required by WAC 480-07-520(4).
- 9 (4) Under WAC 480-70-051, the Commission may grant an exemption from the provisions of any rule in WAC 480-07-520, if consistent with the public interest, the purposes underlying regulation and applicable statutes. See also WAC 480-07-110.
- 10 (5) This matter came before the Commission at its regularly scheduled meeting on December 22, 2022.
- 11 (6) After review of the petition filed in Docket TG- 220823 by PCR on November 7, 2022, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.
- 12 (7) It is in the public interest to allow the revisions to Tariff No. 11, filed on November 7, 2022, to become effective on January 1, 2023, by operation of law.

ORDER

THE COMMISSION ORDERS:

- 13 (1) Harold Lemay Enterprises, Inc., d/b/a Pierce County Refuse's Petition is granted as to the revisions to Tariff No. 11 filed on November 7, 2022, which will go into effect by operation of law on January 23, 2023.

- 14 (2) The Commission retains jurisdiction over the subject matter and Harold Lemay Enterprises, Inc., d/b/a Pierce County Refuse to effectuate the provisions of this Order.
- 15 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective December 22, 2022.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL
Executive Director and Secretary