

BEFORE THE WASHINGTON STATE UTILITIES AND
TRANSPORTATION COMMISSION

In re the Matter of:

Petition for Exemption by Excess Disposal, Inc.,
G-107.

Case No. TG-

PETITION FOR EXEMPTION FROM
PORTIONS OF WAC 480-07-520(4)

1 COMES NOW Excess Disposal, Inc. or (“Excess,” or “Petitioner”), G-107, P.O. Box 2,
Priest River, ID 83856, by and through its counsel, Williams Kastner & Gibbs PLLC and David
W. Wiley, 601 Union Street, Suite 4100, Seattle, Washington, 98101, and hereby petitions the
Washington Utilities and Transportation Commission (“the Commission”), pursuant to WAC
480-07-110 and WAC 480-07-370(1)(b), seeking an exemption from certain requirements of the
general rate proceeding workpaper filing requirements. The request for exemption is sought as
applied to Excess as the “Company,” in interpretation and application of the rule requirements in
light of the revised Commission policy for stricter enforcement of the general rate case
workpaper rule and consistent with the Commission’s decision in Order No. 4, TG-091933,
Washington Utilities and Transportation Commission v. Waste Management of Washington, Inc.
d/b/a Waste Management of Sno-King and Order No. 3, TG-091945 in re the *Petition of Waste*
Management, Inc. d/b/a Waste Management of Sno-King (March, 2010), (hereinafter the “*Sno-*
King Order”).

I. PRELIMINARY STATEMENT

2 This filing seeks exemptions from specific portions of WAC 480-07-520(4) in asking that
the Commission not require in this filing, in addition to the substantial workpapers being filed
herewith under WAC 480-07-520, certain supporting documents and computations to be applied
to Excess. Here, Excess is seeking a “disposal fee only” filing and while it applies not just to

drop box services, respectfully asks that the Commission treat this filing like such a filing, pursuant to WAC 480-07-505(3)(b).

II. SPECIFIC PORTIONS OF WAC 480-07-520(4) FROM WHICH PETITIONER NOW SEEKS EXEMPTION/RELAXATION OF/FROM THE GENERAL RATE CASE WORKPAPERS FILING RULE

3 Petitioner here seeks exemption from the workpaper detailed pro forma income statement requirement and WAC 480-07-520(4)(a)(i) and (4)(a)(ii) in providing restating actual and pro forma adjustment requirements.

4 WAC 480-07-520(4)(b). No exemption requested.

5 WAC 480-07-520(4)(c). Petitioner seeks exemption from the income statement requirement.

6 WAC 480-07-520(4)(d). Petitioner requests exemption from providing detailed breakdowns on nonregulated revenue income and expenses as not relevant in a “disposal fee only” filing context.

7 WAC 480-07-520(4)(e). Similar to subpart (d), Petitioner is requesting an exemption from providing a detailed list of all nonregulated operations.

8 WAC 480-07-520(4)(f). No exemption requested. The proposed priceout is listed in the workpapers accompanying the disposal fee only filing.

9 WAC 480-07-520(4)(g). Petitioner is here seeking an exemption from providing a consolidated company balance sheet.

10 WAC 480-07-520(4)(h). Petitioner requests an exemption from this subpart in providing a detailed depreciation schedule listing all used and useful assets held by the company during the test period which include: the date of purchase; the cost at purchase; depreciable life; salvage value; depreciation expense; and accumulated depreciation at the end of the test period.

11 WAC 480-07-520(4)(i). Petitioner seeks exemption from computation of average
investment for this disposal fee only filing.

12 WAC 480-07-520(4)(j). Finally, Petitioner seeks exemption from the affiliated interest
disclosure rule subpart for the limited purpose of this disposal fee only filing.

13 WAC 480-07-520(5). Not applicable.

III. ARGUMENT IN SUPPORT OF REQUESTED EXEMPTIONS OF GENERAL WORKPAPER FILING RULE

14 As noted, Petitioner seeks exemption from the various general rate case workpapers
subpart rules noted above consistent with longstanding Commission practice to allow disposal
fee only filings to be treated as exceptions to the general rate case workpaper rule. Moreover, as
the current rulemaking in Docket No. A-130355, pursuant to the Commission's October 17, 2013
Notice provided, staff has now proposed the following rule revision:

1. Add the following to WAC 480-07-505(3), which lists solid waste filings
that are not considered general rate proceedings subject to WAC 480-07-
520 workpaper filing requirements:

- a. Garbage disposal (transfer station or landfill) fees only. If an affiliated
interest transaction exists, the company must also demonstrate that the disposal
fee complies with RCW 81.77.160(3).

15 Thus, the present exemption request by Petitioner mirrors the result of the pending rule
change suggestion and, as noted, is consistent with past prevailing practice of the Commission in
processing "disposal fee only" filings.

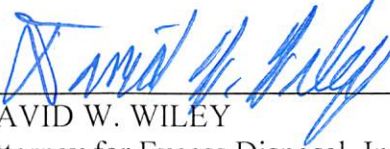
16 Moreover, all of the exemptions here requested under the particular subparts of the
general rate case workpaper rule appear to be consistent with the *Sno-King* Order and numerous
exemption decisions by the Commission since 2009.

IV. PRAYER FOR RELIEF

17 For all the foregoing reasons, Petitioner Excess Disposal, Inc, respectfully asks that the Commission consider the specific requests for exemption from portions of WAC 480-07-520(4) noted above, and that after due consideration, it issue an order granting the Petition in full, and, thereafter enabling conventional audit and review by the regulatory requirements staff of the disposal fee only rate filing accompanying this Petition.

Dated this 15 day of December, 2015.

Respectfully submitted,



DAVID W. WILEY
Attorney for Excess Disposal, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2015, I caused to be served the original and three (3) copies of the foregoing document to the following address via first class mail, postage prepaid to:

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

I certify I have also provided to the Washington Utilities and Transportation Commission's Secretary an official electronic file containing the foregoing document via email to: records@utc.wa.gov.



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