

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Request of	DOCKET TG-210298
MASON COUNTY GARBAGE CO., INC.,	ORDER 01
Petitioner,	
For Less Than Statutory Notice in Connection with Tariff Revisions	GRANTING LESS THAN STATUTORY NOTICE; ALLOWING TARIFF A REVISION; GRANTING EXEMPTIONS

**BACKGROUND**

- 1 On April 28, 2021, Mason County Garbage Co., Inc., (Mason County Garbage or Company) filed with the Washington Utilities and Transportation Commission (Commission) proposed Tariff No. 14. The Company seeks to recover \$37,340 of costs related to the COVID-19 pandemic over a two-year period, beginning June 1, 2021, and ending May 31, 2023. The Company submits this filing as new tariff pages, revised on May 18, 2021, to clearly state the expiration date for these additional charges.
- 2 The Company submits that there are approximately 13,800 residential, 1,000 commercial, 100 roll-off, and 14,000 residential recycling customers affected by this change. This will result in an increase for each customer class in the following amounts: residential service \$12,200, a 0.36 percent increase; commercial service \$4,600, a 0.36 percent increase; roll-off service \$1,900 a 0.36 percent increase; and residential recycling service \$5,500, a 0.36 percent increase.
- 3 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 June 1, 2021. Because this date is 30 days after the April 28, 2021, date of the tariff filing, this date recognizes statutory notice as required. Mason County requests, however, less than statutory notice as permitted by WAC 480-70-276, and that the revisions become effective on June 1, 2021. Mason County requests less than statutory notice because the Company withdrew its accounting petition in Docket TG-210261 at the request of Commission staff (Staff) and refiled it as a tariff revision in this Docket.
- 4 WAC 480-70-271 requires solid waste companies to provide each affected customer a notice at least 30 days before the requested effective date when a solid waste company proposes to increase rates to recover costs related to the COVID-19 pandemic. Granting

Mason County's less than statutory notice request also requires an exemption from WAC 480-70-271. For the same reason(s) identified by Mason County for seeking less than statutory notice, the Company seeks an exemption from customer notice requirements. Mason County Garbage further submits that this tariff is a pass-through of known, incremental costs, similar to a disposal fee filing.

5 Staff has reviewed the Mason County Garbage's filing and recommends that the Commission approve the Company's request for less than statutory notice. Staff has reviewed the resulting rates and recommends that the Commission find them fair, just, reasonable, and sufficient.

6 Staff also recommends granting an exemption from the workpaper requirements in WAC 480-07-520(4). Although the Company submitted workpapers in support of its request on April 28, 2021, showing how the tariff revision was calculated, the Company did not submit workpapers describing all of the adjustments and other calculations as required by WAC 480-07-520(4). Staff notes that the Company recently submitted more comprehensive workpapers in its last general rate case, in Docket TG-210038.

### DISCUSSION

7 We agree with Staff and approve Mason County Garbage's request for less than statutory notice. Pursuant to WAC 480-70-276, the Commission may allow less than statutory notice when there is an emergency or when merit is shown. The Company withdrew its accounting petition at Staff's request and appropriately submitted its request to recover pandemic-related costs as a new tariff filing.

8 We also grant the exemptions requested by both the Company and Staff. Pursuant to WAC 480-07-110, the Commission may, in response to a request or on its own motion, grant an exemption from its own rules when "consistent with the public interest, the purposes underlying regulation, and applicable statutes."<sup>1</sup> The Company reasonably requests exemption from the customer notification requirements of WAC 480-70-271. Staff also recommends that the Commission grant an exemption from the workpaper requirements of WAC 480-07-520(4). These exemptions are consistent with the public interest because the rate increase seeks to recover pass-through charges only. Accordingly, the Commission grants Mason County's new tariff filing with an effective date of June 1, 2021.

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<sup>1</sup> *Accord* WAC 480-70-051 (allowing exemptions from rules for solid waste collection companies).

### FINDINGS AND CONCLUSIONS

- 9 (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, regulations, practices, accounts, and affiliated interests of public service companies, including solid waste companies.
- 10 (2) Mason County is a solid waste company and a public service company subject to Commission jurisdiction.
- 11 (3) Mason County 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 (4) Under WAC 480-70-051 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 480-07-110.
- 13 (5) Staff has reviewed Mason County's request in Docket TG-210298 and recommends the Commission grant the Company's less than statutory notice request. Staff further recommends the Commission grant an exemption from WAC 480-70-271 and require Mason County to notify customers on the first bill reflecting the tariff change.
- 14 (6) This matter came before the Commission at its regularly scheduled meeting on May 20, 2021.
- 15 (7) After reviewing Mason County's proposed tariff revision filed on April 28, 2021, as revised on May 18, 2021, in this docket and giving due consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revision should become effective June 1, 2021.
- 16 (8) The Commission also finds Mason County should be granted an exemption to the customer notice and workpaper requirements.

**ORDER**

**THE COMMISSION ORDERS:**

- 17 (1) Mason County Garbage Co., Inc.'s request for less than statutory notice is granted.
- 18 (2) After the effective date of this Order, Mason County Garbage Co., Inc., is granted an exemption from WAC 480-70-271, which requires notice to customers. Mason County Garbage Co., Inc., must provide notice to customers on the first bill reflecting the tariff change.
- 19 (3) After the effective date of this Order, Mason County Garbage Co., Inc., is granted an exemption from WAC 480-70-520(4), requiring workpapers.
- 20 (4) The tariff revision Mason County Garbage Co., Inc., filed on April 28, 2021, as revised on May 18, 2021, will be effective on June 1, 2021.

DATED at Lacey, Washington, and effective May 20, 2021.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chair

ANN E. RENDAHL, Commissioner

JAY M. BALASBAS, Commissioner