

June 26, 2008. Staff notes that Pacific's customer count has increased slightly by 0.73 percent, inflation has been low, Pacific's collection methods have not changed, and Waste Connection's capital structure would result in an increase of approximately \$60,975 (0.46 percent) to the rate case revenue requirement.

- (b) The increased disposal fees are set by Thurston County and are required as a part of Pacific Disposal'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

- 5 (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.*
- 6 (2) Pacific Disposal 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.
- 7 (3) Pacific Disposal is subject to the filing requirements of WAC 480-07-520, for general rate increase proposals.
- 8 (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.*
- 9 (5) This matter came before the Commission at its regularly scheduled meeting on December 23, 2009.
- 10 (6) After reviewing the tariff revisions Pacific Disposal filed in Docket TG-091780 on November 12, 2009, and giving due consideration, the Commission finds:

- (a) An exemption from the general rate increase filing requirements set forth in WAC 480-07-520 is in the public interest and consistent with the purposes underlying regulation, and applicable statutes and should be granted; and
- (b) It is in the public interest to allow the tariff revisions to Tariff 8 to become effective on January 1, 2010, by operation of law.

ORDER

THE COMMISSION ORDERS:

- 11* (1) The Commission retains jurisdiction over the subject matter and Harold LeMay Enterprises, Inc., dba Pacific Disposal and Butlers Cove Refuse Service, to effectuate the provisions of this Order.
- 12* (2) On the effective date of this Order, Harold LeMay Enterprises, Inc., dba Pacific Disposal and Butlers Cove Refuse Service, is granted an exemption from WAC 480-07-520 for purposes of the tariff filed in Docket TG-091780 on November 12, 2009.
- 13* (3) The Commission takes no action on the tariff implementing the disposal fee increase and allows it to become effective on January 1, 2010 by operation of law.

DATED at Olympia, Washington, and effective December 23, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

JEFFREY D. GOLTZ, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, Commissioner