



WASHINGTON REFUSE & RECYCLING ASSOCIATION

July 10, 2018

Mr. Mark Johnson
Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504-7250

Received
Records Management
07/10/18 14:31
State Of WASH.
UTIL. AND TRANSP.
COMMISSION

Re: Docket A-180513 Public Access to Information and Records Rulemaking

Dear Mr. Johnson:

Thank you for the opportunity to comment on this first rule proposal concerning the Commission's public records rules. The **Washington Refuse and Recycling Association (WRRA)** offers these comments on behalf of the association, however member companies may submit additional comments as well. WRRA will confine its comments on the rule to a single issue for the time being.

WAC 480-04-065 Index of Significant Decisions: WRRA generally supports the development of a robust index of meaningful Commission precedent. Such an index could be a valuable tool for both regulated industries and regulators. The proposed rule language appears to give the Commission a degree of discretion in both assembling the index and as to which cases will ultimately be included. WRRA requests additional information on what process will be used in selecting cases for inclusion in the index, and requests the opportunity to comment in some form during that process.

WRRA is lucky to work with many practitioners whose experience with the Commission goes back decades and can assist in identifying cases that continue to be relevant and contain valuable precedent. Perhaps equally as important, the association can help identify cases that are no longer "significant" because both Staff and the Commission have since adopted and follow different practices than those outlined in older decisions. The most useful index would include those decisions that are truly "significant" and do indeed contain "an analysis or decision of substantial importance to the agency in carrying out its duties," and should not elevate abandoned or irrelevant precedent through inclusion in the index of significant decisions. WRRA is ready and willing to assist the Commission and Staff with this task. Additionally, it would be beneficial to describe in rule a process by which parties may seek to have an order included in the index going forward.

Thank you again for the opportunity to submit further comments on these rules. Please feel free to contact WRRA with any questions or concerns.

Sincerely,

Brad Lovaas

Executive Director