

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Request of	DOCKET TG-190777
MASON COUNTY GARBAGE CO., INC.,	ORDER 01
Petitioner,	
Seeking Exemption from the Provisions of WAC 480-70-351(2) Relating to Recycling Credits or Charges	GRANTING EXEMPTION FROM RULE; ALLOWING TARIFF REVISIONS TO BECOME EFFECTIVE BY OPERATION OF LAW

BACKGROUND

- 1 On September 11, 2019, Mason County Garbage Co., Inc., (Mason County Garbage or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an exemption from WAC 480-70-351(2) Rates, recycling programs, credits, or charges (Petition).
- 2 WAC 480-70-351(2) states that solid waste companies that estimate the revenue from the sales of recyclable materials collected in residential curbside programs as part of a deferred accounting program to return recycling revenues or charges to customers must use the most recent 12-month historical period to estimate the revenue for the next 12 months.
- 3 In its Petition, the Company asserts that the recycling commodity markets remain volatile, and the Company seeks approval to continue using a 6-month, rather than 12-month, average to calculate its proposed recycling commodity adjustment.
- 4 Commission Staff (Staff) reviewed the Petition and determined that the request for an exemption from the 12-month historical period requirement is reasonable. Staff recommends granting Mason County Garbage's request for exemption.

DISCUSSION

- 5 We agree with Staff's recommendation and grant Mason County Garbage's Petition for exemption from WAC 480-70-351(2). Using the most recent 6-month historical period to estimate revenues is reasonable because it reflects a more realistic estimate of recyclable commodity revenue. Accordingly, we find that granting the Company's request for an

exemption is consistent with the public interest, the purposes underlying regulation, and applicable statutes.¹

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, regulations, practices, accounts and affiliated interests of public service companies, including solid waste companies.
- 7 (2) Mason County Garbage is a solid waste company and a public service company subject to Commission jurisdiction.
- 8 (3) Mason County Garbage is subject to WAC 480-70-351(2), which requires solid waste companies that estimate the revenue from the sales of recyclable materials collected in residential curbside programs as part of a deferred accounting program to return recycling revenues or charges to customers to use the most recent 12-month historical period to estimate the revenue for the next 12 months.
- 9 (4) Under WAC 480-70-051 the Commission may grant an exemption from the provisions of any rule in WAC 480-70, if doing so is consistent with the public interest, the purposes underlying regulation, and applicable statutes. See also WAC 480-07-110.
- 10 (5) Staff recommends the Commission grant Mason County Garbage's request for exemption from WAC 480-70-031(2).
- 11 (6) This matter came before the Commission at its regularly scheduled meeting on October 24, 2019.
- 12 (7) After reviewing Mason County Garbage's proposed tariff revisions filed on September 11, 2019, in this docket and giving due consideration to all relevant matters and for good cause shown, the Commission finds that the requested exemption is in the public interest, is consistent with the purposes underlying the regulation and applicable statutes and should be granted, and that the proposed tariff revisions should become effective November 1, 2019, by operation of law.

¹ See WAC 480-70-051 and WAC 480-07-110.

ORDER

THE COMMISSION ORDERS:

- 13 (1) The Commission grants Mason County Garbage Co., Inc.'s petition for an exemption from WAC 480-70-351(2). Mason County Garbage Co., Inc., may use the most recent six months of historical revenues to calculate its recycling commodity adjustment.
- 14 (2) The tariff revisions Mason County Garbage Co., Inc. filed on September 11, 2019, will become effective on November 1, 2019, by operation of law.

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 October 24, 2019.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARK L. JOHNSON
Executive Director and Secretary