

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

HAROLD LEMAY ENTERPRISES  
INC., d/b/a HARBOR DISPOSAL  
COMPANY AND EASTERN GRAYS  
HARBOR DISPOSAL,

Petitioner,

Seeking Exemption from the Provisions of  
WAC 480-07-520(4) Relating to work  
papers

DOCKET TG-180323

ORDER 01

ORDER GRANTING  
EXEMPTION FROM RULE

**BACKGROUND**

- 1 On April 16, 2018, Harold LeMay Enterprises Inc., d/b/a Harbor Disposal Company and Eastern Grays Harbor Disposal (Harbor Disposal) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an exemption from WAC 480-07-520(4) (Petition).
- 2 WAC 480-07-520(4) requires solid waste companies to provide financial data to include an income statement, balance sheet, depreciation schedule, computed average investment, price-out and supporting documents for restating and pro forma adjustments.
- 3 In its Petition, Harbor Disposal states, “the exemption is being requested to allow some of the work papers rules to be applied to only the Grays Harbor operations (the filing entity), as to Harold LeMay Enterprises, Inc. as a whole.”
- 4 Commission Staff reviewed the Petition and recommended granting Harbor Disposal’s request for exemption because the Company has provided all the necessary work papers and financial records as they pertain to the Grays Harbor operations and provided any required work papers for any affiliate or parent company as requested by Staff.

**DISCUSSION**

- 5 The Commission concurs with Staff’s recommendation and grants the Company’s Petition for exemption from the work paper filing requirement. The purpose of the work

paper filing requirement in WAC 480-07-520 is to provide the Commission with information to determine whether a proposed rate increase is fair, just, reasonable, and sufficient. Here, the Company has provided adequate information to enable the Commission to make that determination as it relates Harbor Disposal. The financial records for the parent company's other business units are not relevant to this tariff revision. Accordingly, an exemption from this requirement is consistent with the public interest and the purposes underlying the rule, and should be granted.

### 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, rules, regulations, practices, accounts and affiliated interests of public service companies, including solid waste companies.
- 7 (2) Harbor 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.
- 8 (3) Harbor Disposal is subject to WAC 480-07-520(4), which requires solid waste companies to provide financial data to include an income statement, balance sheet, depreciation schedule, computed average investment, price-out and supporting documents for restating and pro forma adjustments.
- 9 (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.
- 10 (5) This matter came before the Commission at its regularly scheduled meeting on May 31, 2018.
- 11 (6) After review of the petition filed in Docket TG-180323 by Harbor Disposal on April 16, 2018, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.

**ORDER**

**THE COMMISSION ORDERS:**

- 12 (1) After the effective date of this Order, Harold LeMay Enterprises Inc., d/b/a Harbor Disposal Company and Eastern Grays Harbor Disposal is granted an exemption from WAC 480-07-520 (4), work papers, for the purpose of requiring WAC 480-07-520 (4), work paper, to only the filing entity.
- 13 (2) The Commission retains jurisdiction over the subject matter and Harold LeMay Enterprises Inc., d/b/a Harbor Disposal Company and Eastern Grays Harbor Disposal to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective May 31, 2018.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

ANN E. RENDAHL, Commissioner

JAY M. BALASBAS, Commissioner