

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of:

Petition for Exemption by Murrey's Disposal Company, Inc. G-9 d/b/a Olympic Disposal

Case No. TG-

PETITION FOR EXEMPTION FROM PORTIONS OF WAC 480-07-520(4)

1 COMES NOW Murrey's Disposal Company, Inc. G-9, ("Murrey's"), d/b/a Olympic Disposal ("Petitioner" or "Olympic Disposal"), by and through their counsel, Williams Kastner & Gibbs PLLC and David W. Wiley, 601 Union Street, Suite 4100, Seattle, Washington, 98101, and hereby petitions the Washington Utilities and Transportation Commission ("the Commission"), pursuant to WAC 480-70-051, WAC 480-07-110 and WAC 480-07-370(1)(b), seeking an exemption from certain requirements of the general rate proceeding workpaper filing requirements. The exemption is generally sought as applied to Murrey's as the "Company," substituting in its stead the tariff filing entity at issue, Olympic Disposal, in interpretation and application of the rule requirement (except as noted below), and in light of the revised Commission policy for stricter enforcement of the general rate case rule and the Commission's recent decision in Order No. 4, TG-091933, *Washington Utilities and Transportation Commission v. Waste Management of Washington, Inc. d/b/a Waste Management of Sno-King* and Order No. 3, TG-091945 in re the *Petition of Waste Management, Inc. d/b/a Waste Management of Sno-King* (March, 2010), (hereinafter the "*Sno-King Order*").¹

I. PRELIMINARY STATEMENT

2 This request is filed simultaneously with support for the general rate filing with the Commission on or before April 15, 2011. This filing seeks various exemptions from portions of WAC 480-07-520(4), in asking that the Commission not require, as a part of the

¹ Like Waste Management of Washington, Inc. ("WMW"), Murrey's Disposal Company, Inc. is similar to WMW in operating as a single corporate entity in regulated service with more than one operating division spanning multiple counties within multiple tariff filing areas.

voluminous workpapers being filed herewith, that under WAC 480-07-520, various noted subsections of the rule be applied with respect to Murrey's, as "the Company."

II. SPECIFIC RULE EXEMPTION REQUESTS

WAC 480-07-520(4)(a), (i) and (ii):

3 Petitioner asks for a partial exemption for the purposes of this proceeding only, for (a) and its subparts (detailed pro forma income statement restating and pro forma adjustments), allowing the supporting workpapers to provide the following: a detailed pro forma income statement showing revenues and expenses for each district in Olympic Disposal's operations and the total of all columns reflected equaling total company revenue and expenses as reported in the company's 2009 Annual Report to the Commission; and, in applying WAC 480-07-520(4)(a)(i) and (ii), here for Olympic Disposal, the tariff filing entity, providing an income statement separated into solid waste, residential recycling, multifamily recycling and yard waste restating and pro forma adjustments limited to the Olympic Disposal operations.

WAC 480-07-520(4)(b):

4 Petitioner asks that the calculation of the revenue impact for proposed tariff provisions be limited to Olympic Disposal as "the Company."

WAC 480-07-520(4)(d):

5 For the purposes of this filing only, Petitioner asks that non-regulated revenue and expense separation under this subparagraph be limited to Olympic Disposal, the tariff filing entity, rather than Murrey's Disposal as "the Company."

WAC 480-07-520(4)(e):

6 For this filing only, Petitioner requests that it provide the list of all non-regulated operations including rates charged as applied to Olympic Disposal, the tariff filing entity, only.

WAC 480-07-520(f):

7 For the purposes of this filing, Petitioner asks that the reconciled price out information
pertain to Olympic Disposal, as “the Company.”

WAC 480-07-520(g):

8 Petitioner asks and seeks confirmation that the consolidated balance sheet and percentage of
debt and equity be applied to Waste Connections, Inc., the parent company of Murrey’s and
of the tariff entity involved in this filing, Olympic Disposal.

WAC 480-07-520(h):

9 Petitioner asks that the depreciation schedule workpaper requirement be limited to Olympic
Disposal.

WAC 480-07-520(i):

10 Petitioner here asks that the average investment computations be applied to Waste
Connections, Inc. as the publicly-traded parent company, whose average investment and
investor-supplied working capital is calculated pursuant to SEC regulations, and not
Murrey’s, as “the Company.”

WAC 480-07-520(j):

11 Petitioner requests that this final subpart of the general rate case workpaper rule be applied
to Olympic Disposal as the “Company,” and that in so applying, Olympic Disposal disclose
all internal transactions and arrangements with other Murrey’s operations which, but for the
fact that those entities operate within the single Murrey’s corporate entity, would be subject
to the affiliated interest transaction rule under WAC 480-70-079. In addition, Olympic
Disposal, in its accompanying filing, will provide schedules and terms which detail corporate
overhead charges by Waste Connections, Inc. and which relate to the proposed rates.

III. ARGUMENT IN SUPPORT OF REQUEST FOR EXEMPTIONS FROM GENERAL RATE CASE WORKPAPER RULE

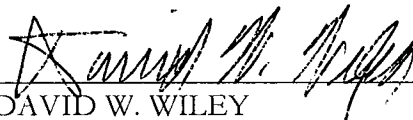
- 12 In recent filings, other tariff filing entities of Waste Connections have submitted general rate cases with exemption petitions for operations of i.e. Joe's Refuse, Rural Garbage Service and City Sanitary/White Pass Garbage Company, *see* TG-091769, TG-091774 and TG-101536, respectively, including rationale for the Petition for Exemption from rule for Harold LeMay Enterprises, Incorporated.
- 13 Mandating unilateral application of the general rate case workpaper rule to Murrey's as a whole here would not only be burdensome on Petitioner and staff alike, but would also unnecessarily duplicate related computations and evaluations which have already occurred in the other referenced general rate filings, resulting in time-consuming analyses which have no bearing on the results of operations of Olympic Disposal. Olympic Disposal is, again, the proponent tariff entity actually filing for the rate change. Limiting application of the rule as requested to it moreover, would, as noted above, be fully consistent with the underlying purposes of WAC 480-07-520(4).
- 14 Thus, in addition to providing all relevant data and calculations oriented to the tariff-filing division's regulated and unregulated operations, Petitioner contends the request for exemptions is likewise consistent with WAC 480-07-110 and the public interest by facilitating the audit and review of the proposed revenue requirement and rate design of the Olympic Disposal entity within Murrey's whose rates would actually change as result of the filing. This, in turn, will render the review process more efficient, allowing the Commission to better meet its statutory directive of fixing just, reasonable and compensatory rates under RCW 81.28.230.

IV. PRAYER FOR RELIEF

15 Wherefore, based on the following outline of the issues raised by this Petition for Exemption from Rule, Petitioner Murrey's Disposal Company, Inc. d/b/a Olympic Disposal Co., asks that the Commission grant limitations to this filing applicable to WAC 480-07-520(4)(a), (i), (ii), (b), (d), (e), (f), (g), (h), (i) and (j). In so doing, that it find that it is in the public interest and fully consistent with the purposes of evaluating general rate case increase filings to grant Murrey's Disposal Company, Inc. d/b/a Olympic Disposal Co., an exemption to the workpapers requirements of WAC 480-07-520(4), for the limited purpose of considering the proposed general rate case filing by Petitioner for the applicable tariff governing Olympic Disposal's regulated operations.

Dated this 14th day of April, 2011.

Respectfully submitted,



DAVID W. WILEY
Attorney for Murrey's Disposal Company, Inc. d/b/a
Olympic Disposal Co.

CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2011, I caused to be served the original and three (3) copies of the foregoing document to the following address via first class mail, postage prepaid to:

David Danner, Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
1300 S. Evergreen Park Dr. SW
Olympia, WA 98504-7250

I certify I have also provided to the Washington Utilities and Transportation Commission's Secretary an official electronic file containing the foregoing document via email to: records@utc.wa.gov.



Lyndsay C. Taylor