

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	)	DOCKET TG-121777
	)	
AMERICAN DISPOSAL	)	ORDER 01
COMPANY, INC., G-87,	)	
	)	
Petitioner,	)	
	)	
Seeking Exemption from the	)	
Provisions of WAC 480-07-520(4)	)	ORDER GRANTING
Relating to Supporting Work Papers	)	EXEMPTION FROM RULE
.....	)	

**BACKGROUND**

- 1 Docket TG-121777 involves a proposed tariff revision filed with the Washington Utilities and Transportation Commission (Commission) by American Disposal Company, Inc. (American or Company), on behalf of its Vashon Disposal (Vashon) business unit on November 7, 2012, that would generate approximately \$117,590 (18.6 percent) additional annual revenue.
- 2 On November 7, 2012, American filed a petition requesting an exemption from the work paper filing requirements set out in WAC 480-07-520(4).
- 3 WAC 480-07-520(4) requires American to file work papers that contain detailed financial data for American, its affiliated interests, and its business units. The plain language of the rule requires these work papers to address American finances as a whole, not a limited subset of one or more business units.
- 4 American states “Requiring the type of detail under subsection 4(a) and the revenue impact of the proposed tariff under subsection 4(b) for American Disposal as a whole would work a substantial hardship on the Company at present and have no direct bearing on the Vashon general rate filing. Additionally, there are no revenue impacts posed to the Company as a whole by the tariff filing of Vashon Disposal. The focal revenue impact of the proposed tariff revision in this general rate case will only directly affect the tariff filing subdivision, Vashon Disposal, which has a uniquely separated geographic service territory: Vashon Island in King County.”

5 American requested the Commission to grant an exemption from the following sections of WAC 480-07-520(4) to limit the filing requirements to Vashon, the tariff filing entity, instead of American:

- (a) Detailed pro forma income statement.
- (b) Revenue impact calculation for proposed tariff revisions.
- (f) Detailed price-out information.
- (i) Computed average investment.
- (j) Information about every transaction with affiliated interests or subsidiaries.

6 Staff reviewed American's request for an exemption from WAC 480-07-520(4) and recommends that the Commission grant that request, as set forth above.

#### **FINDINGS AND CONCLUSIONS**

- 7 (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.
- 8 (2) American Disposal Company, Inc., 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.
- 9 (3) American Disposal Company, Inc., is subject to WAC 480-07-520(4), which requires the Company to file work papers that contain detailed financial data for the Company, its affiliated interests, and its business units. The plain language of the rule requires these work papers to address American Disposal Company, Inc.'s finances as a whole, not a limited subset of one or more business units.
- 10 (4) American Disposal Company, Inc., d/b/a Vashon Disposal is a business unit of American Disposal Company, Inc., and collects solid waste under one of American Disposal Company, Inc.'s two tariffs.

- 11 (5) American Disposal Company, Inc., filed proposed tariff revisions on November 7, 2012, seeking to increase rates in its American Disposal Company, Inc., dba Vashon Disposal business unit by approximately \$117,590 (18.6 percent).
- 12 (6) In support of its proposed tariff revisions, American Disposal Company, Inc., filed work papers containing financial information only for American Disposal Company, Inc., d/b/a Vashon Disposal business unit, but not for the entirety of American Disposal Company, Inc., operations.
- 13 (7) 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.
- 14 (8) This matter came before the Commission at its regularly scheduled meeting on August 9, 2012.
- 15 (9) After review of the petition filed in Docket TG-101706 by American Disposal Company, Inc., d/b/a Vashon Disposal on November 7, 2012, 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.

## **O R D E R**

### **THE COMMISSION ORDERS:**

- 16 (1) After the effective date of this Order, American Disposal Company, Inc.'s Petition for Partial Exemption from WAC 480-07-520(4) is granted, as set forth in paragraph five.
- 17 (2) The exemption granted to American Disposal Company, Inc., in this Order applies only to the general rate proceeding in Docket TG-121777.
- 18 (3) The Commission retains jurisdiction over the subject matter and American Disposal Company, Inc., to effectuate the provisions of this Order.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective December 13, 2012.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**DAVID W. DANNER, Executive Director and Secretary**