

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of:

Petition for Exemption by Harold LeMay Enterprises, Inc. G-98 d/b/a Pierce County Refuse

Case No. TG-200044

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

1 COMES NOW Harold LeMay Enterprises, Incorporated, G-98, (“LeMay”), d/b/a Pierce County Refuse (“Petitioner” or “PCR”), 4111 192nd Street East, Tacoma, WA 98446, by and through its counsel Williams Kastner & Gibbs PLLC and David W. Wiley, 601 Union Street, Suite 4100, Seattle, Washington, 98101, and 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 LeMay as the “Company,” in interpretation and application of the rule requirement to apply only to PCR, the tariff filing entity, and in light of the revised Commission policy for stricter enforcement of the general rate case workpaper rules.

I. PRELIMINARY STATEMENT

2 This request is filed simultaneously with support for the general rate filing with the Commission on January 16, 2020. 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 voluminous workpapers being filed therewith, that under WAC 480-07-520, various noted subsections of the rule be applied with respect to LeMay, as “the Company.”

PETITION FOR EXEMPTION FROM PORTIONS OF WAC 480-07-520(4) -1-

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II. SPECIFIC RULE EXEMPTION REQUESTS

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

- 3 Petitioner asks that this workpaper rule be limited to only PCR the tariff filing entity, and District 2182 (nonregulated transfer station and long haul) that operates out of the Frederickson, WA facility, rather than Harold LeMay Enterprises, Inc. “the Company,” as a whole.

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

- 4 Petitioner asks for a partial exemption for the purpose of this filing for submission of the income statement requirement to be that for PCR and District 2182 only.

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

- 5 For the purposes of this filing only, Petitioner asks that nonregulated revenue and expense separation under this subparagraph be limited to PCR, the tariff filing entity, rather than Harold LeMay Enterprises, Inc., “the Company.”

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

- 6 For this filing, Petitioner requests that it provide the list of all nonregulated operations as applied to PCR, the tariff filing entity, rather than Harold LeMay Enterprises, Inc., “the Company.”

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

- 7 For the purposes of this filing, Petitioner asks that the reconciled price out information pertain to PCR, the tariff filing entity, rather than Harold LeMay Enterprises, Inc., “the Company.”

WAC 480-07-520(g):

8 For this filing that the consolidated balance sheet and debt to equity and cost of debt all be related to Waste Connections, Inc. as the publicly-traded parent company.

WAC 480-07-520(h):

9 For the purposes of this filing, Petitioner asks that the reconciled price out information pertain to PCR, the tariff filing entity, rather than Harold LeMay Enterprises, Inc., “the Company.”

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

10 Petitioner believes this filing is fully consistent with treatment in other recent general rate cases and, while utilizing many of the previous schedules and disclosures, appropriately tailors this general rate case by featuring an updated test period and pertinent spreadsheets, tariff priceouts and operational route hours analyses, etc. directed to the tariff filing entity.

11 Mandating unilateral application of the general rate case workpaper rule to LeMay as a whole here would be burdensome on Petitioner and staff alike. PCR is, again, the proponent tariff entity actually filing for the rate change. Limiting application of the rule as requested to PCR moreover, would, as noted above, be fully consistent with the underlying purposes of WAC 480-07-520(4).

12 Thus, in addition to providing all relevant data and computations oriented to the tariff filing entity’s regulated and nonregulated operations, Petitioner contends the request for exemptions are 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 PCR entity within LeMay whose rates would potentially change as result of the filing. This, in turn, will render the review process more efficient, allowing the Commission to meet its statutory directive of fixing just, reasonable and compensatory rates under RCW 81.28.230.

IV. PRAYER FOR RELIEF

13 Wherefore, based on the following outline of the issues raised by this Petition for Exemption from Rule, Petitioner Harold LeMay Enterprises, Inc. d/b/a Pierce County Refuse asks that the Commission grant limitations to this filing applicable to WAC 480-07-520(4)(a), (i), (ii), (c), (d), (e), (f), (g) and (h). 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 Harold LeMay Enterprises, Inc. d/b/a Pierce County Refuse, 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 PCR's regulated operations.

Dated this 21st day of January, 2020.

Respectfully submitted,



DAVID W. WILEY
Attorney for Harold LeMay Enterprises, Inc. d/b/a
Pierce County Refuse