

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of a Tariff to Increase Rates	)	DOCKET TG-111681
Due to a Disposal Fee Increase Filed By)	
	)	ORDER 04
)	
	)	AUTHORIZING TARIFF FILING,
	)	SUSPENDING RATE, AND
	)	ALLOWING RATE TO BECOME
	)	EFFECTIVE ON A TEMPORARY
	)	BASIS, SUBJECT TO REFUND
)	
)	
	)	DOCKET TG-111949
)	
	)	ORDER 01
)	
	)	ORDER GRANTING EXEMPTION
MASON COUNTY GARBAGE CO., INC.	)	FROM RULE AND ALLOWING
d/b/a MASON COUNTY GARBAGE,	)	TARIFF TO BECOME EFFECTIVE
G-88	)	BY OPERATION OF LAW
.....)	

BACKGROUND

- 1 On November 9, 2011, Mason County Garbage Co., Inc., d/b/a Mason County Garbage (Mason County Garbage or Company), filed with the Washington Utilities and Transportation Commission (Commission) revisions to its currently effective Tariff No. 13 to increase rates due to increased disposal fees. On December 20, 2011, the Company filed revised tariff pages designated as 5th Revised Page No. 16, 10th Revised Page No. 21, 7th Revised Page No. 22, 5th Revised Page No. 28, 5th Revised Page No. 32, 5th Revised Page No. 34, 5th Revised Page No. 35 and 6th Revised Page No. 36. A disposal fee increase falls within the definition of a general rate increase pursuant to WAC 480-07-505.

- 2 Mason County has increased disposal fees from \$81.04 per ton to \$83.40 per ton effective January 1, 2012. The proposed rate increase would generate approximately \$29,600 additional annual revenue and become effective January 1, 2012. The increased disposal fees affect approximately 8,200 customers whose garbage is disposed of in Mason County. The Company's last general rate increase became effective on February 1, 2011.

- 3 WAC 480-07-520 lists the minimum required information the Company must provide in a general rate increase filing. The Company provided information pertinent to the disposal fee increase but did not provide the remainder of the information required by the rule. On December 19, 2011, the Company filed a request for an exemption from WAC 480-07-520.
- 4 WAC 480-07-110 allows the Commission to grant an exemption from or modify the application of its rules if consistent with the public interest, the purposes underlying regulation, and applicable statutes. *See also WAC 480-70-051.*
- 5 Commission Staff reviewed the tariff request together with other factors and recommended the Commission allow the tariff to become effective by operation of law, and grant an exemption from WAC 480-07-520 for this filing for the following reason(s):
- (a) There have not been any significant changes since the last rate case that became effective February 1, 2011. Reviewing the rate case documents, the number of customers is unchanged, inflation has been low, and the Company has not changed its collection methods.
 - (b) The increased disposal fees are set by Mason County and are required as a part of Mason County Garbage's operations.
 - (c) The Company's financial information supports the proposed revenue requirement and the proposed rates.
 - (d) Staff concluded the proposed rate increase, by reason of the increase in disposal fees, is fair, just, and reasonable.
- 6 On December 20, 2011, the Company filed a revised 10th Revised Page No. 21 canceling 9th Revised Page No. 21. The Commission, in Order 01 issued in Docket TG-111681, suspended 9th Revised Page No. 21, but allowed it to become effective on a temporary basis, subject to refund. The only change published on 9th Revised Page No. 21 was the commodity price adjustment of \$2.39 credit per month. Ordering Paragraph 4 stated that "Mason County Garbage Company, Inc., must not change or alter the tariffs filed in this Docket during the suspension period, unless authorized by the Commission."

- 7 Staff recommends that the Commission treat the tariff filing as a request for authorization to file the revised tariff and that the Commission authorize the Company to file 10th Revised Page No. 21, canceling 9th Revised Page No. 21.
- 8 The 10th Revised Page No. 21 publishes increased garbage rates to reflect increased disposal fees and includes a commodity price adjustment of \$2.39 credit per month, which the Commission suspended, and allowed to become effective on a temporary basis, subject to refund, by Order 01 issued in Docket TG-111681. Staff recommends that the Commission allow the changes implementing the disposal fee increase to become effective on January 1, 2012, by operation of law, and suspend the commodity price adjustment of \$2.39 credit per month, but allow it to become effective on January 1, 2012, on a temporary basis, subject to refund. Further, the Staff recommends that the Commission direct the Company to make it clear on 10th Revised Page No. 21 that the commodity price adjustment of \$2.39 credit per month is suspended and allowed to become effective January 1, 2012, on a temporary basis, subject to refund, pursuant to Order 04 issued in Docket TG-111681.

FINDINGS AND CONCLUSIONS

- 9 (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.*
- 10 (2) Mason County Garbage 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.
- 11 (3) Mason County Garbage is subject to the filing requirements of WAC 480-07-520, for general rate increase proposals.
- 12 (4) Under WAC 480-07-110, 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 480-70-051.*

- 13 (5) This matter came before the Commission at its regularly scheduled meeting on December 29, 2011.
- 14 (6) After reviewing the tariff revisions Mason County Garbage filed in Docket TG-111949 on November 9, 2011, as revised on December 20, 2011, and giving due consideration, the Commission finds:
- (a) An exemption from the general rate increase filing requirements set forth in WAC 480-07-520 is in the public interest and consistent with the purposes underlying regulation, and applicable statutes and should be granted;
 - (b) The Company is authorized to file 10th Revised Page No. 21, canceling 9th Revised Page No. 21.
 - (c) The commodity price adjustment of \$2.39 credit per month, published on 10th Revised Page No. 21 is suspended, and allowed to become effective on January 1, 2012, on a temporary basis, subject to refund. The Company is directed to make it clear on 10th Revised Page No. 21 that the commodity price adjustment of \$2.39 credit per month is suspended and allowed to go into effect on a temporary basis, subject to refund, pursuant to Order 04 issued in Docket TG-111681.
 - (d) It is in the public interest to allow the tariff revisions implementing the disposal fee increase to Tariff No. 13 to become effective on January 1, 2012, by operation of law.

O R D E R

THE COMMISSION ORDERS:

- 15 (1) The Commission retains jurisdiction over the subject matter and Mason County Garbage Co., Inc., d/b/a Mason County Garbage to effectuate the provisions of this Order.
- 16 (2) On the effective date of this Order, Mason County Garbage Co., Inc., d/b/a Mason County Garbage is granted an exemption from WAC 480-07-520 for purposes of the tariff filed in Docket TG-111949.
- 17 (3) The Commission authorizes Mason County Garbage Co., Inc., d/b/a Mason County Garbage to publish 10th Revised Page No. 21, canceling 9th Revised Page No. 21.
- 18 (4) The Commission suspends the commodity price adjustment of \$2.39 credit per month published on 10th Revised Page No. 21, and allows it to become effective January 1, 2012, on a temporary basis, subject to refund.
- 19 (5) The Commission directs Mason County Garbage Co., Inc., d/b/a Mason County Garbage to make it clear on 10th Revised Page No. 21 that the commodity price adjustment of \$2.39 credit per month is suspended and allowed to go into effect on a temporary basis, subject to refund, pursuant to Order 04 issued in Docket TG-111681.
- 20 (3) The Commission takes no action on the tariff changes implementing the disposal fee increase and allows them to become effective on January 1, 2012, by operation of law.

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

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**DOCKET TG-111949
ORDER 01**

DATED at Olympia, Washington, and effective December 29, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Acting Secretary