

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of:

Petition for Exemption by Harold LeMay Enterprises, Inc. G-98 d/b/a Harbor Disposal Co. and EGH Disposal

Case No. TG-180323

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

1 COMES NOW Harold LeMay Enterprises, Incorporated, G-98, (“LeMay”), d/b/a Harbor Disposal Co. and EGH Disposal (“Petitioner” or “Harbor Disposal”), 4201 Olympic Highway, Aberdeen, WA, 98520, 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 LeMay as the “Company,” in interpretation and application of the rule requirement to apply only to Harbor Disposal, 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 April 16, 2018. 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.”

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 Harbor Disposal the tariff filing
entity, and District 2187 (nonregulated transfer station) that operates out of the Aberdeen,
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 Harbor Disposal and District 2187
(nonregulated) 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 Harbor Disposal, 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 Harbor Disposal, the tariff filing entity, rather than Harold LeMay Enterprises,
Inc., “the Company.”

WAC 480-07-520(f):

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

WAC 480-07-520(i):

10 Petitioner asks that the average investment computations be provided for Harbor Disposal,
the tariff filing entity, rather than Harold LeMay Enterprises, Inc., “the Company.”

WAC 480-07-520(j):

11 No exemption requested.

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

12 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.

13 Mandating unilateral application of the general rate case workpaper rule to LeMay as a whole
here would be burdensome on Petitioner and staff alike. Harbor Disposal is, again, the
proponent tariff entity actually filing for the rate change. Limiting application of the rule as
requested to Harbor Disposal 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 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


Harbor Disposal 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

15 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 Harbor Disposal Co. and EGH Disposal, asks that the Commission grant limitations to this filing applicable to WAC 480-07-520(4)(a), (i), (ii), (c), (d), (e), (f), (g), (h) and (i). 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 Harbor Disposal Co. and EGH Disposal, 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 Harbor Disposal Co./EGH Disposal's regulated operations.

Dated this 17 day of April, 2018.

Respectfully submitted,



DAVID W. WILEY
Attorney for Harold LeMay Enterprises, Inc. d/b/a
Harbor Disposal Co. and EGH Disposal

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2018, I caused to be filed and served the foregoing document to the following via the UTC web portal:

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



Maggi Gruber
Legal Assistant
Williams Kastner & Gibbs, PLC
gruber@williamskastner.com
206-233-2972