



- 5 RCW 81.77.160 requires the Commission to allow rates filed to recover increased disposal fees to become effective on a permanent basis or, if suspended, on an interim basis.
- 6 A disposal fee increase falls within the definition of a general rate increase pursuant to WAC 480-07-505. 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 but did not provide the remainder of the information required by the rule and requested an exemption from the work paper filing requirements of WAC 480-07-520.
- 7 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.
- 8 Commission Staff reviewed the proposed tariff revisions together with other factors and recommends the Commission allow the tariff revisions to become effective by operation of law, and grant the Company's request for an exemption from WAC 480-07-520, work paper filing requirements for this filing for the following reasons:
- (a) There have not been any significant changes since the last rate case that became effective on March 1, 2010. Reviewing the rate case documents, customer numbers are relatively unchanged, inflation has been low, and the Company has not changed its collection methods.
  - (b) The increased disposal fees are set by Pierce County and are required as a part of the Company'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.

### **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) American Disposal 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) American Disposal is subject to the filing requirements of WAC 480-07-520, for general rate increase proposals. The Company requested an exemption from WAC 480-07-520.
- 12 (4) Under WAC 480-07-110, the Commission may grant an exemption from the provisions of any rule in WAC 480-07, if consistent with the public interest, the purpose 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 February 28, 2013.
- 14 (6) After review of the tariff revisions filed in Docket TG-130054 by American Disposal on January 14, 2013, as revised on January 16, January 23 and January 30, and giving due consideration, the Commission finds:
- (a) Because revised pages 1, 21, 25, 27, 28, 46, 47, 48 and 49 filed in Docket TG-130054 are filed to increase rates to recover only increased disposal fees that the Commission is required by RCW 81.77.160 to allow to become effective on a permanent basis or, if suspended, on an interim basis, the Commission should permit the Company to propose additional revisions to those pages.
  - (b) The Company's request for an exemption from general rate increase filing requirements set forth in WAC 480-07-520 is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted; and

- (c) It is in the public interest to allow the revisions to Tariff No. 25 to become effective on March 1, 2013, by operation of law.

**ORDER**

**THE COMMISSION ORDERS:**

- 15 (1) American Disposal Company, Inc., is authorized to file revised pages that change or alter the tariffs filed in Docket TG-111674.
- 16 (2) After the effective date of this Order, American Disposal Company, Inc., is granted an exemption from WAC 480-07-520, for purposes of the tariff revisions filed in Docket TG-130054.
- 17 (3) The Commission takes no action on the tariff revisions implementing the disposal fee increase and allows them to become effective on March 1, 2013, by operation of law.
- 18 (4) 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 February 28, 2013.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**STEVEN V. KING, Acting Executive Director and Secretary**