

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

In the Matter of the Petition of)	DOCKET NO. TG-030059
)	
American Disposal Company, Inc.)	ORDER NO. 01
d/b/a Vashon Disposal,)	
Permit No. G-87)	
)	
Petitioner,)	
)	
Seeking Exemption from the Provisions)	ORDER GRANTING TEMPORARY
of WAC 480-70-396 Relating to Billing.)	EXEMPTION
.....)	

BACKGROUND

- 1 On January 16, 2003, American Disposal Company, Inc., (American Disposal) d/b/a Vashon Disposal under permit Number G-87 filed with the Commission a petition requesting an exemption from the billing rules in WAC 480-70-396. The purpose of the exemption is to allow American Disposal to continue to bill its customers two months in advance until the Company changes over to a new computer billing system which will accommodate the one month advance billing requirements in WAC 480-70-396.

- 2 The Company asserts that changing its billing cycle would cost thousands of dollars and require substantial software modifications to its existing computer program. These costs would need to be passed through to customers for what would amount to a small billing procedure change. However, American Disposal has indicated it does intend to update its computer system within the next two years and could accommodate this change along with other computer system improvements. The Company requests an exemption from WAC 480-70-396 until January 31, 2005.

FINDINGS AND CONCLUSIONS

- 3 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including solid waste companies. *RCW 80.01.040; Chapter 81.04 RCW; Chapter 81.28 RCW and Chapter 81.77 RCW.*
- 4 (2) American Disposal is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 5 (3) American Disposal is subject to the provisions of WAC 480-70-396 requiring solid waste companies who bill on a two month billing cycle to bill customers not earlier than one month in advance.
- 6 (4) WAC 480-70-051 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-70 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.
- 7 (5) Staff has reviewed the request in Docket TG-030059 and recommended the exemption requested by American Disposal be granted, subject to a two-year time limit to come into compliance.
- 8 (6) This matter was brought before the Commission at its regularly scheduled meeting on February 12, 2003.
- 9 (7) After review of the petition filed in Docket TG-030059 by American Disposal on January 16, 2003, and giving due consideration, the

Commission finds that the exemption is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 10 (1) The exemption sought by American Disposal Company, Inc., d/b/a Vashon Disposal to allow two months advance billing until January 31, 2005 is granted.
- 11 (2) Failure by American Disposal Company, Inc., d/b/a Vashon Disposal to revise its billing procedures by January 31, 2005, may result in the Commission invoking provisions of Chapter 81.04 RCW that provide for penalty assessments.

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 this 12th day of February, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary