

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

In the Matter of the Exemption of)	DOCKET NO. TG-031972
Solid Waste Collection Companies)	
from the Provisions of WAC 480-)	ORDER NO. 01
70-326(1), WAC 480-09-445(1), and)	
WAC 480-07-520(1) Relating to)	ORDER GRANTING
Filing of Tariffs)	EXEMPTION FROM SPECIFIC
)	TARIFF FILING
)	REQUIREMENTS OF RULE
.....)	

BACKGROUND

- 1 On December 3, 2003, Commission Staff asked that the Commission on its own motion consider exempting solid waste collection companies from the requirements of WAC 480-70-326(1), WAC 480-09-335(1) and WAC 480-07-520(1) relating to filing of tariffs with the Commission.
- 2 WAC 480-70-326(1) requires solid waste collection companies to submit tariff filings to the Commission in person, by mail, or by telefacsimile. Further, if a company files by telefacsimile, a hard copy must be mailed on the same day as the telefacsimile transmission.
- 3 WAC 480-09-335(1) requires solid waste collection companies to file two copies of tariffs submitted to the Commission. WAC 480-07-520(1) becomes effective January 1, 2004, and contains the same provisions as WAC 480-09-335(1).
- 4 Staff stated that the reasons for requesting this exemption from the rules include:
- 5 (1) Staff is currently involved in developing processes and procedures that will ultimately allow all regulated companies to publish and file tariffs electronically, via e-mail attachments.

- 6 (2) A pilot program involving several regulated utility companies has proven that electronic submission of tariffs, combined with enhanced electronic management of those tariffs in-house, results in reduced regulatory burden for companies and in reduced filing management costs for the Commission.
- 7 (3) The rules cited contain provisions that are not necessary for, or that are barriers to, electronic tariff filing.
- 8 Staff will request the Commission consider a rulemaking in 2004 or 2005 to, among other things, amend rules relating to filing of tariffs by solid waste collection companies to reflect on a permanent basis the exemptions requested in this Docket.

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 public service companies, including solid waste collection companies. *RCW 80.01.040; Chapter 81.01 RCW; Chapter 81.04 RCW and Chapter 81.77 RCW.*
- 10 (2) Solid waste collection companies operating in Washington intrastate commerce are subject to the provisions of WAC 480-70-326(1), WAC 480-09-335(1), and WAC 480-07-520(1) relating to filing of tariffs with the Commission.
- 11 (3) WAC 480-70-051, WAC 480-09-010, and WAC 480-07-110 provide that the Commission may grant an exemption from the provisions of any rule their respective WAC Chapters, if consistent with the public interest, the purposes underlying regulation and applicable statutes.

- 12 (4) This matter was brought before the Commission at its regularly scheduled meeting on December 10, 2003.
- 13 (5) After review of the Commission Staff's request in Docket TG-031972, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

ORDER

THE COMMISSION ORDERS:

- 14 (1) After the effective date of this Order, solid waste collection are granted an exemption from the provisions of WAC 480-70-326(1), WAC 480-09-335(1), and WAC 480-07-520(1) relating to filing of tariffs, and may electronically submit tariffs to the Commission via e-mail attachment.

DATED at Olympia, Washington, and effective this 10th day of December, 2003.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner