

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

In the Matter of the Petition of	)	DOCKET NO. TG-040044
	)	
Peninsula Sanitation Service, Inc.	)	ORDER NO. 01
Permit No. G-11	)	
	)	
Petitioner,	)	
	)	
Seeking Exemption from the Provisions	)	ORDER GRANTING TEMPORARY
of WAC 480-70-396 Relating to Billing.	)	EXEMPTION
.....	)	

**BACKGROUND**

- 1 On December 17, 2003, Peninsula Sanitation Service, Inc., (Peninsula or Company) under Permit Number G-11 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 Peninsula to use up its billing card stock that does not meet the requirements in WAC 480-70-396.
  
- 2 Peninsula currently employs a two-month billing cycle. WAC 480-70-396 states the bill cannot be delinquent until the last day of the second month of the billing cycle. The billing card stock currently in use by the Company lists an incorrect delinquency date; specifically, it says that accounts “become past due on the 25<sup>th</sup> of the [second] month, and are then subject to a late fee...” Peninsula states that this is not its common practice. In fact, the Company asserts it does not begin to assess late fees to customers until after the fourteenth day past the delinquency date.
  
- 3 Peninsula expects the billing card stock to last one year. The Company intends to work with Staff to update its new billing card stock to comply with the rule.

The Company requests an exemption from WAC 480-70-396 until its billing card stock is used up.

### FINDINGS AND CONCLUSIONS

- 4 (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.*
- 5 (2) Peninsula Sanitation Service, Inc., is a solid waste company and is a public service company subject to the jurisdiction of the Commission.
- 6 (3) Peninsula Sanitation Service, Inc., is subject to the provisions of WAC 480-70-396 requiring that solid waste companies print the correct delinquency date on the bill.
- 7 (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.
- 8 (5) Staff has reviewed the request in Docket TG-040044 and recommended the exemption requested by Peninsula Sanitation Service, Inc., be granted, subject to a one-year time limit to come into compliance.
- 9 (6) This matter was brought before the Commission at its regularly scheduled meeting on March 24, 2004.

- 10 (7) After review of the petition filed in Docket TG-040044 by Peninsula Sanitation Service, Inc., on December 17, 2003, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

**O R D E R**

THE COMMISSION ORDERS:

- 11 (1) The exemption of WAC 480-70-396 sought by Peninsula Sanitation Service, Inc., to allow use of billing card stock with an incorrect delinquency date until March 31, 2005, is granted.
- 12 (2) Failure by Peninsula Sanitation Service, Inc., to begin using updated billing card stock showing the correct delinquency date by March 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 24<sup>th</sup> day of March, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary