

AMENDATORY SECTION (Amending Docket No. TG-990161, General Order No. R-479, filed 3/23/01, effective 4/23/01)

WAC 480-70-161 Suspending and canceling certificates. (1)
Cause for suspension. The commission may suspend a certificate for cause. Cause includes, but is not limited to:

(a) Failure to maintain evidence of required liability insurance coverage for all areas of a company's operations;

(b) Failure to file an annual report or pay required regulatory fees;

(c) Failure to comply with the rates and rules contained in the company's filed tariff;

(d) Failure or refusal to comply with operating standards that protect the public health, safety or welfare;

(e) Allowing others to operate under a company's certificated authority without having first obtained commission approval; or

(f) Operating in a manner that violates the rights of customers and/or constitutes an unfair or deceptive business practice.

(2) (~~Notice of suspension. The commission will issue an order notifying the company of the commission's action to suspend a certificate. Suspension is effective on the date the commission mails the suspension order (service date).~~

~~(3))~~ **Cause for cancellation.** The commission may cancel a certificate for cause. Cause includes, but is not limited to:

(a) Operating without proper insurance;

(b) Failure to file an annual report or pay required regulatory fees;

(c) Failure to correct within the time specified in a suspension order all conditions listed in the suspension order that led to the certificate's suspension;

(d) Continued violations of applicable laws and rules affecting the public health, safety, or welfare when the commission has reason to believe the company will not comply with those laws and rules following a specified period of suspension;

(e) Repeated failure or refusal to comply with applicable laws and rules pertaining to operations of solid waste collection companies;

(f) Failure to supply requested information needed by the commission in the performance of its regulatory functions;

(g) Submission of false, misleading, or inaccurate information; or

(h) Allowing others to operate under a company's certificated authority without having first obtained commission approval.

(3) Notice of pending suspension and cancellation. When the commission believes cause exists to suspend or cancel a certificate, it will issue a notice to the company of the commission's intention to suspend or cancel the authority.

(4) Contest of suspension and cancellation. A company may contest the pending suspension and/or cancellation of its certificate by requesting a hearing or brief adjudicative proceeding within ten days following the date of the notice.

~~((4) **Suspension without opportunity for prior hearing.** The commission may suspend a certificate without providing an opportunity for prior hearing if there is imminent danger to the public health, safety, or welfare, and there is insufficient time to conduct a hearing. If the commission invokes this suspension clause, the commission will, as soon as is practical, schedule a hearing or brief adjudicative proceeding to determine if the suspension should continue in force and effect.))~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 480-70-166

Canceling certificates.