

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

SANITARY DISPOSAL, INC., G-173

Petitioner,

Seeking Exemption from the provisions of
WAC 480-70-071 Relating to Filing of
Annual Reports by Solid Waste
Companies

DOCKET TG-160299

ORDER 01

ORDER GRANTING EXEMPTION
FROM RULE

BACKGROUND

- 1 On March 11, 2016, Sanitary Disposal, Inc. (Sanitary Disposal or Company), filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an exemption from WAC 480-70-071, to allow the Company to file a Class C annual report instead of a Class A and B annual report. The Company serves 155 residential and commercial customers and 23 drop-box customers in Washington.
- 2 Sanitary Disposal stated that it earned \$334,982 (5.3 percent of approximately \$6.3 million total revenue) from customers in Washington State in 2015.
- 3 Sanitary Disposal is a Class B solid waste company, as defined by WAC 480-70-041 to mean “a traditional solid waste collection company with annual gross operating revenue from regulated, intrastate operations of less than five million dollars.”
- 4 WAC 480-70-071 requires solid waste companies to file a complete, accurate annual report showing all information requested by the Commission by May 1 of the succeeding year. The Commission provides an annual report form for Class A and B solid waste companies, defined in WAC 480-70-041 as companies providing “traditional solid waste collection,” and for Class C solid waste companies, defined in WAC 480-70-041 as a company “that does not provide traditional residential or commercial solid waste operations.”
- 5 In past years, the Commission has approved the Company’s requests to file a Class C annual report form instead of the Class A and B annual report form. The continued reason provided by the Company for an exemption is that it does not have adequate accounting

personnel to prepare the report and it would have to retain an outside accountant to prepare the required annual report.

- 6 Commission Staff reviewed the request and recommended granting Sanitary Disposal's request for exemption, with the caveat that in any future petition requesting exemption, it is the Company's burden to timely file a request for exemption that clearly shows that it is in the public interest to allow the exemption from the annual report filing requirements.

FINDINGS AND CONCLUSIONS

- 7 (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.
- 8 (2) Sanitary Disposal is a solid waste company and a public service company subject to Commission jurisdiction.
- 9 (3) Sanitary Disposal is subject to WAC 480-70-071, which requires solid waste companies to file an annual report by May 1 of each year.
- 10 (4) Under WAC 480-70-051, the Commission may grant an exemption from the provisions of any rule in WAC 480-70, if consistent with the public interest, the purposes underlying regulation and applicable statutes. See also WAC 480-07-110.
- 11 (5) This matter came before the Commission at its regularly scheduled meeting on April 7, 2016.
- 12 (6) After review of the petition filed in Docket TG-160299 by Sanitary Disposal on March 11, 2016, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted for the 2015 reporting year.

O R D E R

THE COMMISSION ORDERS:

- 13* (1) The request by Sanitary Disposal, Inc., for an exemption from WAC 480-70-071 to allow the Company to file a Class C annual report is granted for the 2015 reporting year.
- 14* (2) The Commission retains jurisdiction over the subject matter and Sanitary Disposal, 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 April 7, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary