

Tariff No. 15

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Company Name/Permit Number: Empire Disposal, Inc. G-75
Registered Trade Name(s)

Item 30 -- Limitations of Service-Continued

6. Missed service due to a labor disruption, which causes work stoppages that prevent or limit a company from collecting solid waste. A company must:

- a. Immediately inform the commission's regulatory services and consumer protection staff when a labor disruption is imminent by email at: servicedisruption@utc.wa.gov. This email must be used for all communications regarding the labor disruption.
- b. Provide daily email reports to the commission regarding the company's progress toward meeting full service requirements.
- c. Develop and implement a customer outreach plan regarding the labor disruption, what to expect, and how to contact the commission.
- d. Provide the commission's regulatory services and consumer protection staff with a copy of the customer outreach plan by email.
- e. Provide an email that includes a schedule and plan for communicating with local governments and the media.
- f. Use all reasonable, practicable means to resume regularly-scheduled service to all customers within five business days, not including the first day of the labor disruption. Resuming services within five business days is presumptively reasonable and practicable; provided, however, that under specific circumstances arising at the time of a labor disruption, the presumption may be rebutted by evidence that the company acted contrary to the public interest and unreasonably delayed resumption of collection services. Relevant factors may include the company's resources; the circumstances of the labor disruption; the amount of time, if any, that the company had to prepare for the labor disruption; the company's execution of any contingency plan, if any; organization and training of any replacement workers; ambulatory picketing that might delay restoration of service; and workplace safety issues and coordination with local government agencies that may affect overall public safety.
- g. Collect all accumulated solid waste at the customer's next regularly-scheduled service date after service resumes as set forth in subsection (f) above. The company will not charge for extra waste set out in addition to customers' normal receptacle(s) if the amount of extra waste does not exceed the amount that reasonably would be expected to accumulate due to missed service.
- h. The company is not obligated to extend credit to missed customers who do not receive service if the company collects the customers' accumulated solid waste as required in subsection (g) above or if the company did not unreasonably delay the restoration of service during the five business day grace period. If the company does not collect all of a customer's accumulated solid waste as required in subsection (g) above, or if the company unreasonably delayed the restoration of service during the five business day grace period, the company is required to give a credit to the customer, proportionate to the customer's monthly service charge, for all missed services and for each subsequent missed service until normal service is restored.
- i. When the labor disruption has been settled, notify the commission's regulatory services and consumer

Issued By: Heather Garland

Issue Date: March 20, 2020

Effective Date: May 7, 2020

(For Official Use Only)

Docket No. TG- _____ Date: _____ By: _____

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Item 30 -- Limitations of Service-Continued

7. Missed service due to a declared public health emergency

- a. Upon declaration of a public health emergency, or upon direction by a federal, state, or local authority, solid waste collection companies may alter services for the health and safety of the general public, its customers and its employees. This may include but is not limited to the altering of normal collection and administrative services.
- b. The company shall provide notice to the Commission when services have been altered. The company shall take reasonable actions to notify impacted customers of the situation. The company will maintain continuity of service throughout a public health emergency to the greatest extent practicable while conforming to the emergency declaration. The company will return to normal operations as soon as is reasonable given the circumstances of the emergency.
- c. All accumulated solid waste will be collected by the company on the customer's next regularly-scheduled service date following the resumption of normal operations. The company will not charge for extra waste set out in addition to customer's normal receptacle(s) if the amount of extra waste does not exceed the amount that reasonably would be expected to accumulate due to the missed service.

8. Definitions:

- a. "Reasonably would be expected to accumulate due to missed service" means, at a minimum, the amount of solid waste represented by the number of missed service(s) multiplied by the customer's subscribed service level. For example, if the company misses two services for a customer who subscribes to one 96-gallon toter, the amount would be the equivalent of 192 gallons (2 services x 96 gallons subscription per service).
- b. "Next scheduled service date" – this date is defined by each customer's subscription service.
 - i. Example 1: A residential customer subscribes to weekly service that the company schedules for every Wednesday. If the company does not provide service on Wednesday, November 14, the next scheduled service date would be Wednesday, November 21.
 - ii. Example 2: A commercial customer subscribes to daily service. If the company does not provide service on Wednesday, November 14, the next scheduled service date would be Thursday, November 15.
 - iii. Example 3: A residential customer subscribes to every-other-week recycling service scheduled for Wednesday, November 14. If the company does not provide service on Wednesday, November 14, the next scheduled service date would be Wednesday, November 28.
- c. Example of how to calculate a credit: Monthly residential service rates are set based on 4.33 services per month. If the company misses one service, the credit is calculated as: .231 (1 missed service divided by 4.33 services per month) multiplied by the service-related component of the monthly rate (excluding disposal and processing costs); provided that the credit for any specific month does not exceed the full rate per month. Any customer credits for missed recycling services will include the recycling commodity credit.

Issued By: Heather Garland

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