

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of
EXCESS DISPOSAL, INC.,

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

DOCKET TG-230246

ORDER 01

GRANTING EXEMPTION
FROM RULE; GRANTING
COMPANY ADDITIONAL
TIME TO FILE ANNUAL
REPORT

BACKGROUND

1 On April 14, 2023, Excess Disposal, Inc., (Excess Disposal or Company) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an extension of time to file its 2022 annual report as required by WAC 480-70-071 (Petition). According to Excess Disposal, it is unable to prepare the report because the Company’s CPA filed an extension for its federal taxes. The Company seeks an extension to file its annual report until May 31, 2023.

2 Commission staff (Staff) reviewed the request and finds it reasonable, and recommends granting Excess Disposal’s request for exemption, but notes that the Company’s regulatory fee is still due in full by May 1, 2023.

DISCUSSION

3 The Commission may grant an extension for filing annual reports under WAC 480-70-071 if the extension request is filed before the May 1 due date. However, WAC 480-70-076(3) states the Commission does not grant extensions for payment of regulatory fees. We agree with Staff and grant the extension to file the annual report no later than May 31, 2023, but note that regulatory fees are still due by May 1, 2023, if the Company wishes to avoid accruing interest and incurring penalties.

FINDINGS AND CONCLUSIONS

- 4 (1) The 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.
- 5 (2) Excess Disposal is a solid waste company and a public service company subject to Commission jurisdiction.
- 6 (3) Excess Disposal is subject to WAC 480-70-071, which requires solid waste companies to file an annual report by May 1 of each year.
- 7 (4) Under WAC 480-70-071(1)(c), the Commission may grant an extension of time allowing the Company to file its annual report after the May 1 due date if the Commission receives a request for extension before May 1.
- 8 (5) This matter came before the Commission at its regularly scheduled meeting on April 27, 2023.
- 9 (6) After review of the petition filed in Docket TG-230246 by Excess Disposal on April 14, 2023, and giving due consideration, the Commission finds that extending the deadline by which Excess Disposal must file an annual report is in the public interest, is consistent with the purposes underlying the regulation and applicable statutes, and that it should be granted.

ORDER

THE COMMISSION ORDERS:

- 10 (1) Excess Disposal, Inc.'s, request for an extension until May 31, 2023, to file its 2022 annual report is granted.
- 11 (2) Excess Disposal, Inc.'s, failure to file its 2022 annual report by May 31, 2023, will result in enforcement action, up to and including canceling Excess Disposal, Inc.'s, certificate.
- 12 (3) The Commission retains jurisdiction over the subject matter and Express Disposal, Inc., to effectuate the provisions of this Order.

- 13 The Commissioners, having determined this Order to be consistent with the public interest, directed the Secretary to enter this Order.

DATED at Lacey, Washington, and effective April 27, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL
Executive Director and Secretary