

BEFORE THE WASHINGTON STATE UTILITIES
AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

WASTE CONTROL, INC.,

Respondent.

DOCKET NO. TG-140560

COMPANY REPLY TO STAFF RESPONSE
TO MOTION TO ALLOW TEMPORARY
RATES SUBJECT TO REFUND AT THE
PROPOSED SETTLEMENT LEVEL FILED
IN OCTOBER, 2014

1 Waste Control, Inc. (“the Company”) acknowledges and appreciates the additional time afforded by the parties to enable its expert to review the priceout schedules attached to the Staff’s Response of March 6, 2015. Now having analyzed that Response, the Company accepts the proposal as submitted by the Staff in its Exhibit to its Response and accordingly, the proposed rate design of the additional revenue requirement sought by the Company in its Motion for Temporary Rates Subject to Refund.

2 The Company would, also, however, note some of the characterizations and arguments inserted in the Staff’s Response. The Company does not agree with certain Staff assertions in ¶4 of its Response including the unsupported customer count allegation (the Company instead provided an adjusted version and formula which it intended to conform to the current test period) and observes the Company priceout simply assumes that nonregulated Kalama operations are charged (as they are) at the same rate established by the Commission for unincorporated Cowlitz County territory less city franchise fee.

3 However, rather than continue to dispute computations and analyses that will require even more delay and time to resolve, the Company would accept the Staff’s proposed priceout as a reasonable compromise to effectuate the incremental revenue increase requirement previously submitted in settlement in October, 2014, pending a final outcome in this proceeding.

The Company does take issue with the Staff’s now familiar rendition at ¶7 of its Response that the loan covenants affecting all six Waste Control Companies are intertwined to the extent that cross-collateralization or interdependent financing arrangements enable “piercing of the corporate veil” for the purpose of constructing theories in allowing aggregation of capital structures for affiliate returns on rental properties. While this will obviously be addressed further on Reply Brief as it was detailedly in hearing on March 11, 2015, a Response to the Motion for Temporary Rates is not intended as a segue for reiterating contested themes from the underlying rate case, but rather, an opportunity to respond to the singular issue of whether the Company has established just cause for grant of interim rate relief upon which the Company Motion is based.¹ Finally, the Company submits this Reply with the full understanding in response to footnote 3 of the Staff’s Response, that its priceout was intended to and is now included in the official adjudicative file in this matter.

Dated this 18th day of March 2015 at Seattle, Washington

RESPECTFULLY SUBMITTED,

By 
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¹ Recurring Staff attempts at bites of the proverbial apple have not been unique in this proceeding. *See, i.e.,* Commission Staff’s Response to WRRRA’s Response to and Joinder in Respondent’s Discovery Motion of June 23, 2014 and WCI’s Reply thereto of June 25, 2014, ¶¶2, 3, pp. 1 and 2.