

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

|                                  |   |                      |
|----------------------------------|---|----------------------|
| In the Matter of the Petition of | ) | DOCKET NO. TG-040194 |
|                                  | ) |                      |
| American Disposal Company, Inc., | ) | ORDER NO. 01         |
| Permit No. G-87                  | ) |                      |
|                                  | ) |                      |
| Petitioner,                      | ) |                      |
|                                  | ) |                      |
| Seeking Exemption from the       | ) |                      |
| Provisions of WAC 480-70-401     | ) | ORDER GRANTING       |
| Relating to payment options      | ) | EXEMPTION FROM RULE  |
| .....                            | ) |                      |

**BACKGROUND**

- 1 On February 10, 2004, American Disposal Company, Inc., under permit number G-87 filed a petition requesting exemption from WAC 480-70-401 to allow customers the option to pay bills by using Electronic Fund Transfer (EFT) which provides for electronic payments over the Internet. This method of payment is optional for customers.
  
- 2 WAC 480-70-401 allows solid waste companies to accept payment by cash, money order, personal check, certified check, debit card or credit card.
  
- 3 American Disposal Company, Inc., stated it has received requests from its customers for an online statement presentation and payment service. In response the Company contracted with KUBRA, a national company that provides electronic billing services, to provide payment by electronic fund transfers (EFT) for customers. The current rule WAC 480-70-401 does not allow a solid waste company to accept payments by electronic fund transfers. With the consent of the customer, the Company may provide regular billings in electronic form if the bill meets all the requirements of WAC 480-70-396. The Company

must maintain a record of the customer's request, and the customer may change from electronic to printed billing upon request.

- 4 Commission Staff reviewed the request and recommended granting American Disposal Company, Inc.'s request for exemption.

### FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices and accounts of public service companies, including solid waste companies. *RCW 80.01.040; Chapter 81.01 RCW; Chapter 81.04 RCW and Chapter 81.77 RCW.*
- 6 (2) American Disposal Company, Inc., is engaged in the business of providing solid waste services within the state of Washington and is a public service company subject to the jurisdiction of the Commission under the provisions of Chapter 81.77 RCW.
- 7 (3) American Disposal Company, Inc., is subject to the provisions of WAC 480-70-401 requiring solid waste companies to accept payment by cash, money order, personal check, certified check, debit card or credit card.
- 8 (4) WAC 480-70-051 provides that the Commission may grant an exemption from the provisions of any rule in Chapter 480-70 WAC, if consistent with the public interest, the purposes underlying regulation and applicable statutes.

- 9 (5) This matter was brought before the Commission at its regularly scheduled meeting on July 28, 2004.
- 10 (6) After review of the petition filed in Docket TG-040194 by American Disposal Company, Inc., on July 28, 2004, and giving due consideration, the Commission finds that the exemption is reasonable and should be granted.

### **ORDER**

#### **THE COMMISSION ORDERS:**

- 11 (1) After the effective date of this Order, American Disposal Company, Inc., is granted an exemption from WAC 480-70-401, to allow electronic fund transfer as an accepted method of payment. With the consent of the customer, the Company may provide regular billings in electronic form if the bill meets all the requirements of WAC 480-70-396. The Company must maintain a record of the customer's request, and the customer may change from electronic to printed billing upon request.
- 12 (2) The Commission retains jurisdiction over the subject matter and American Disposal Company, 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.

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DATED at Olympia, Washington, and effective this 28th day of July, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary