

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

In the Matter of the Petition of)	DOCKET TG-080673
)	
SANITARY DISPOSAL, INC.,)	ORDER 01
G-173,)	
)	
Petitioner,)	
)	
Seeking Exemption from the)	
Provisions of WAC 480-70-070(b))	
Relating to Information Requested by)	
the Commission's Annual Report)	
Form for Class A and B Solid Waste)	ORDER GRANTING
Companies)	EXEMPTION FROM RULE
.....)	

BACKGROUND

- 1 On April 16, 2008, Sanitary Disposal, Inc., (Sanitary Disposal or Company), filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an exemption from WAC 480-70-070(b).

- 2 WAC 480-70-070(b) 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 requested company annual report information and regulatory fee calculation schedule are provided by the Commission on forms designated for Class A and B Solid Waste Companies.

- 3 Sanitary Disposal stated that only 4.9 percent of its revenue is derived from customers in Washington State (\$218,679 in 2007). The Company has 172 residential and 16 drop-box customers in Washington. In past years, the Commission has approved the Company's requests to file a Class C Annual Report form and regulatory fee schedule instead of the required Class A and B Annual Report form and regulatory fee schedule. The reason the Company requested this exemption, both now and in the past, has been to avoid the costs associated with hiring an accountant to prepare the annual report. These costs would need to be passed on to Washington customers. The amount paid by the Company in annual regulatory fees is the same in both fee schedules.

4 Commission Staff reviewed the request and recommended granting Sanitary Disposal's request for exemption, subject to the following condition: The Company complete and return to the Commission a Class C Annual Report form and regulatory fee schedule along with payment by May 1, 2008.

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 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.*
- 6 (2) Sanitary Disposal is engaged in the business of providing solid waste services within the state of Washington and is a public service company subject to Commission jurisdiction.
- 7 (3) Sanitary Disposal is subject to WAC 480-70-070(b), which 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.
- 8 (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.*
- 9 (5) This matter came before the Commission at its regularly scheduled meeting on April 30, 2008.
- 10 (6) After reviewing Sanitary Disposal's petition filed in Docket TG-080673 on April 16, 2008, 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, Sanitary Disposal, Inc., is granted an exemption from WAC 480-70-070(b), and is allowed to submit a Class C Annual Report form and fee schedule instead of the Class A and B Annual report form and fee schedule.
- 12 (2) This exemption is subject to the following condition: Sanitary Disposal, Inc., must complete and return to the Commission a Class C Annual Report form and fee schedule along with payment by May 1, 2008.
- 13 (3) 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 Executive Secretary to enter this Order.

DATED at Olympia, Washington, and effective April 30, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary