

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

In the Matter of the Petition of)	DOCKET TG-100674
)	
EXCESS DISPOSAL, INC.,)	ORDER 01
)	
Petitioner,)	
)	ORDER GRANTING EXEMPTION
Seeking Exemption from the provisions of)	FROM RULE; GRANTING
WAC 480-70-071 Relating to Filing of)	COMPANY ADDITIONAL TIME TO
Annual Reports by Solid Waste Companies)	FILE ANNUAL REPORT
.....)	

BACKGROUND

- 1 On April 26, 2010, Excess Disposal, Inc. (Excess Disposal), filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an extension of time to file its 2009 annual report as required by WAC 480-70-071. According to Excess Disposal, it is unable to prepare the report due to its accountant being unavailable to assist during tax season. Excess Disposal seeks an extension until June 1, 2010.
- 2 Commission Staff reviewed the request and recommended granting Excess Disposal's request for exemption.

FINDINGS AND CONCLUSIONS

- 3 (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.*
- 4 (2) Excess Disposal is a solid waste company and a public service company subject to Commission jurisdiction.
- 5 (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.

- 6 (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.
- 7 (5) This matter came before the Commission at its regularly scheduled meeting on May 13, 2010.
- 8 (6) After review of the petition filed in Docket TG-100674 by Excess Disposal on April 26, 2010, and giving due consideration, the Commission finds that the exemption is in the public interest and is consistent with the purposes underlying the regulation and applicable statutes and should be granted.

O R D E R

THE COMMISSION ORDERS:

- 9 (1) The request by Excess Disposal, Inc., for an exemption from WAC 480-70-071 and for an extension until June 1, 2010, to file its 2009 annual report is granted.
- 10 (2) Failure by Excess Disposal, Inc., to file its 2009 annual report by June 1, 2010, may result in the Commission invoking RCW 81.04.405, which allows the Commission to assess penalties for violations of statute, rule, and Commission orders.
- 11 (3) The Commission retains jurisdiction over the subject matter and Excess Disposal, 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.

DATED at Olympia, Washington, and effective May 13, 2010.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary