

- 5 (3) Excess Disposal is subject to the provisions of RCW 81.04.080 and WAC 480-70-071 requiring solid waste companies to file an annual report by May 1 of each year.
- 6 (4) WAC 480-70-051 provides that 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. WAC 480-70-071 (1)(c) provides that 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 was brought before the Commission at its regularly scheduled meeting on May 12, 2011.
- 8 (6) After review of the petition filed in Docket TG-110714 by Excess Disposal on April 26, 2011, 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 July 1, 2011, to file its 2010 annual report is granted.
- 10 (2) Failure by Excess Disposal, Inc., to file its 2010 annual report by July 1, 2011, may result in the Commission invoking provisions of RCW 81.04 that provide for penalty assessments.
- 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 12, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary