

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	)	DOCKET TG-130612
	)	
EXCESS DISPOSAL, INC., DBA	)	ORDER 01
EXCESS DISPOSAL SERVICE,	)	
	)	
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 25, 2013, Excess Disposal, Inc., dba Excess Disposal Service (Excess Disposal) filed with the Washington Utilities and Transportation Commission (Commission) a petition requesting an extension of time to file its 2012 annual report as required by [WAC 480-70-071](#). Excess Disposal paid its regulatory fee on April 29, prior to the May 1 due date in WAC 480-70-076(2). According to Excess Disposal, it needs additional time to file a complete and accurate report. Excess Disposal seeks an extension until June 1, 2013.
  
- 2 Commission Staff reviewed the request and recommended granting Excess Disposal’s request for exemption subject to the condition that Excess Disposal file its annual report no later than June 1, 2013.

**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 480-70-076(2), which requires solid waste  
companies to pay regulatory fees by May 1 of each year. Excess Disposal paid its  
regulatory fees on April 29, 2013.
- 6 (4) 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.
- 7 (5) 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.
- 8 (6) This matter came before the Commission at its regularly scheduled meeting on  
May 9, 2013
- 9 (7) After review of the petition filed in Docket TG-130612 by Excess Disposal on  
April 25, 2013, 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.

**ORDER**

**THE COMMISSION ORDERS:**

- 10 (1) The request by Excess Disposal, Inc., dba Excess Disposal Service for an  
exemption from WAC 480-70-071 and for an extension until June 1, 2013, to file  
its 2012 annual report is granted.
- 11 (2) Failure by Excess Disposal, Inc., dba Excess Disposal Service to file its 2012  
annual report by June 1, 2013, 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.
- 12 (3) The Commission retains jurisdiction over the subject matter and Excess Disposal,  
Inc., dba Excess Disposal Service 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 9, 2013.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Acting Executive Director and Secretary