

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of	DOCKET A-140166
Regulatory Fees to be Paid Under the Provisions of RCW Titles 80 and 81	ORDER 02
	ORDER SETTING OR MAINTAINING REGULATORY FEES

BACKGROUND

1 RCW Title 80 and RCW Title 81 authorize the Washington Utilities and Transportation Commission (Commission) to impose, set, increase, or decrease certain fees on regulated companies. The following statutes set out specific authority for imposing regulatory fees according to the industries over which the Commission has jurisdiction:

RCW 80.04.580	Wastewater Companies
RCW 80.24.010	Electric, Gas, Water, Telecommunications, and Irrigation Companies
RCW 81.24.010	Petroleum Pipeline Companies and Railroad Companies
RCW 81.24.020	Auto Transportation Companies
RCW 81.24.030	Commercial Ferries
RCW 81.66.030	Special Needs Transportation Companies
RCW 81.70.350	Charter and Excursion Service Companies
RCW 81.77.080	Solid Waste Collection Companies
RCW 81.80.321	Common Carriers and Contract Carriers
RCW 81.108.090	Low Level Radioactive Waste Companies

2 The Commission collects regulatory fees from the public service companies it regulates in amounts sufficient to pay the Commission's reasonable costs of supervising and regulating each industry. Regulatory fees are a percentage of gross operating revenues, and the Commission establishes these fees by general order. The Commission historically has set the amount of these regulatory fees periodically in individual orders for each regulated industry.

3 The Commission considers the funds available in the public service revolving fund when setting or determining whether to change the amount of regulatory fees. Some regulatory fees must be established annually, while others remain in place until changed by a further

Commission order.

4 Commission Staff (Staff) reviewed all individual industry accounts in the public service revolving fund and calculated the approximate amounts required to fund Commission operations. Staff recommends setting or maintaining regulatory fees at the maximum amounts authorized by statute except in the case of solid waste collection companies, motor carriers other than household goods carriers, and low level radioactive waste companies. Staff proposes that the Commission set regulatory fees in the amounts specified in Appendix A and that those fees remain at those levels unless and until the Commission changes them in a future order.

DISCUSSION

5 The Commission adopts Staff's recommendation and orders each regulated company to pay the applicable regulatory fees listed in Appendix A unless and until the Commission changes those fees in a future order.

FINDINGS AND CONCLUSIONS

- 6 (1) The Commission has jurisdiction to set, increase, or decrease regulatory fees for industries under its jurisdiction.
- 7 (2) The Commission, being advised, has considered all monies on hand and the fees currently to be paid and determined that regulatory fees should be set for regulated industries as detailed in Appendix A.
- 8 (3) The fees set or modified in this order should remain in effect until altered by a future Commission order.

ORDER

THE COMMISSION ORDERS:

- 9 (1) All public service companies subject to the Commission's jurisdiction shall pay regulatory fees in the amounts set out in Appendix A.
- 10 (2) The fees established in this order shall remain in effect until changed by the Commission.

The Commissioners, having determined the above-noted regulatory fees, directed the Secretary to enter this Order.

DATED at Olympia, Washington, and effective February 25, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Executive Director and Secretary

APPENDIX A
Annual Regulatory Fees

Wastewater Companies <i>RCW 80.04.580</i>	None established at this time.
Electric, Gas, Water, Telecommunications, and Irrigation Companies <i>RCW 80.24.010 / WAC 480-100-252</i> <i>(electric) / WAC 480-90-252 (gas) /</i> <i>WAC 480-110-505 (water) / WAC 480-</i> <i>120-382 and -385 (telecomm)</i>	0.1% (.001) of the first fifty thousand dollars of gross operating revenue, plus 0.2% (.002) of any gross operating revenue in excess of fifty thousand dollars.
Petroleum Pipelines <i>RCW 81.24.010 / WAC 480-73-160</i>	0.1% (.001) of the first fifty thousand dollars of gross operating revenue, plus 0.2% (.002) of any gross operating revenue in excess of fifty thousand dollars.
Railroad Companies <i>RCW 81.24.010 / WAC 480-62-300</i>	Class I companies and companies that haul crude oil: 2.5% (.025) of intrastate gross operating revenues. ¹ Class II/III companies that do not haul crude oil: 1.5% (.015) of intrastate gross operating revenues. ²
Auto Transportation Companies <i>RCW 81.24.020 / WAC 480-30-076(1)</i>	0.4% (.004) of the amount of gross operating revenue from intrastate operations, with a minimum fee of \$20 AND a fee waiver for companies earning less than \$5,000 annually.
Commercial Ferries	0.4% (.004) of the amount of gross

¹ Effective March 11, 2016, per rule adoption order in Docket TR-151079.

² Railroad companies seeking a fee exemption as a nonprofit charitable organization under federal revenue code section 501(c)(3) must file a letter with the Commission.

<i>RCW 81.24.030 / WAC 480-51-100</i>	operating revenue from intrastate operations.
Special Needs Transportation Companies <i>RCW 81.66.030 / WAC 480-31-080</i>	\$10 per vehicle.
Charter and Excursion Service Companies <i>RCW 81.70.350 / WAC 480-30-076(2)</i>	\$25 per vehicle, with a minimum fee of \$25.
Solid Waste Collection Companies <i>RCW 81.77.080 / WAC 480-70-076</i>	0.4275% (.004275) of the amount of gross operating revenue. ³
Motor Carriers – Household Goods Carriers <i>RCW 81.80.321 / WAC 480-14-150 and WAC 480-15-480</i>	0.25% (0.0025) of the gross income from intrastate (Washington) operations, based on the previous calendar year’s operations.
Motor Carriers – All Others <i>RCW 81.80.321 / WAC 480-14-150</i>	Zero. ⁴
Low Level Radioactive Waste Companies <i>RCW 81.108.090 / WAC 480-92-050</i>	Zero. ⁵

³This is a reduction from the statutory maximum regulatory fee for solid waste collection companies of one percent (.01) of the amount of gross operating revenue.

⁴ Motor carriers (other than household goods carriers) participate in and pay all required fees through the nationwide Uniform Carrier Registration (UCR) program. Therefore, the Commission does not impose any additional regulatory fees on this industry.

⁵The statutory maximum regulatory fee for low level radioactive waste companies is one percent (.01) of the amount of gross operating revenue, exclusive of site surveillance fees, perpetual care and maintenance fees, site closure fees, and state or federally imposed out-of-region surcharges. The Commission currently incurs minimal costs to regulate this industry and thus does not impose any regulatory fees on the sole company the Commission regulates.