

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

In the Matter of the Request of)	DOCKET TO-082174
)	
OLYMPIC PIPE LINE COMPANY,)	
)	ORDER 01
Petitioner,)	
)	ORDER GRANTING LESS THAN
For Less Than Statutory Notice in)	STATUTORY NOTICE; ALLOWING
Connection with Tariff Revisions)	TARIFF REVISIONS
.....)	

BACKGROUND

- 1 On December 4, 2008, Olympic Pipe Line Company, (Olympic or Company) filed with the Washington Utilities and Transportation Commission (Commission) a new Tariff No. 32 replacing Tariff No. 31. Olympic filed the tariff revisions after an initial order was entered in consolidated Dockets TO-031973 and TO-081785, granting Olympic’s motion to reopen Docket TO-031973 to consider an amendment to the Tariff Settlement Agreement (TSA), approving and adopting the Amended TSA, approving and adopting a settlement between Olympic and Staff concerning the Storage Lease Agreement between Olympic and BP West Coast Products, LLC the effect of which is to remove a portion of the Company’s Bayview storage facility from rate base, and granting the Company’s petition to approve the Storage Lease Agreement. After the parties filed a letter waiving their right to seek administrative review, the Commission issued a Notice of Finality on December 16, 2008, notifying the parties that the Commission would not seek review on its own motion and allowing the Initial Order to become effective.¹
- 2 WAC 480-80-121 requires thirty days’ notice to customers prior to the effective date of the tariff. The tariff sheets bear an effective date of January 1, 2009. This date recognizes the required 30-day statutory notice. The Company requests less than statutory notice as permitted by WAC 480-80-122, and that the revisions become effective January 1, 2009. Olympic requests less than statutory notice because the filing could not be made until the Commission approved the Amended TSA in related Docket TO-031973, or the initial order approving the agreement became effective. While the Initial Order was effective December 4, 2008, a Notice of Finality allowing the order to become effective was not issued until December 16, 2008.

¹ An initial order may become final and effective without Commission approval if no party seeks administrative review within 20 days and the Commission opts not to undertake administrative review on its own option. RCW 80.01.060.

3 In its tariff revision, Olympic proposes a rate decrease of 5.58 percent to reflect removal
of the Bayview terminal from rate base and adjust rates as the result of an increase in
throughput over the base throughput allowed percentage. The filing also lists Bayview as
a new origin point.

4 Since the proposed tariff revisions appear to be fair, just, reasonable and sufficient, and
less than statutory notice is consistent with the public interest, it is appropriate that the
Commission grant Olympic's request with an effective date of January 1, 2009.

FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the
State of Washington, vested by statute with authority to regulate rates, rules,
regulations, practices, and accounts of public service companies, including
petroleum pipeline companies. *RCW 80.01.040, RCW 81.01, RCW 81.04, RCW
81.08, RCW 81.12, 81.16, and RCW 81.88.*
- 6 (2) Olympic Pipe Line is a pipeline company and a public service company subject to
Commission jurisdiction.
- 7 (3) Olympic is subject to WAC 480-80-121, which requires pipeline companies to
file changes in any rate, charge or service with thirty days' notice. For good
cause shown, however, the Commission may allow changes without requiring
thirty days' notice by order specifying the changes to be made and the time when
the Order shall take effect. *WAC 480-80-122.*
- 8 (4) Under WAC 480-80-015, the Commission may grant an exemption from the
provisions of any rule in WAC 480-80, if consistent with the public interest, the
purposes underlying regulation and applicable statutes. *See also WAC 480-07-
110.*
- 9 (5) Approval of the TSA does not affect the Commission's or Staff's ability to review
the filing.
- 10 (6) Staff has reviewed Olympic's request in Docket TO-082174 and recommends the
Commission grant the Company's request for less than statutory notice.

- 11 (7) This matter came before the Commission at its regularly scheduled meeting on December 23, 2008
- 12 (8) After reviewing Olympic's proposed tariff revisions filed on December 4, 2008, and giving due consideration to all relevant matters and for good cause shown, the Commission finds the proposed tariff revisions should become effective January 1, 2009.
- 13 (9) The Commission also finds Olympic should be granted an exemption from the customer notice requirements.

ORDER

THE COMMISSION ORDERS:

- 14 (1) Olympic Pipe Line Company's request for less than statutory notice is granted.
- 15 (2) After the effective date of this Order, Olympic Pipe Line Company is granted an exemption from WAC 480-80-121, which requires notice to customers of proposed tariff changes.
- 16 (3) The tariff revisions Olympic Pipe Line Company filed on December 4, 2008, will be effective on January 1, 2009.

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 December 23, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Secretary