**BEFORE THE WASHINGTON**

**UTILITIES AND TRANSPORTATION COMMISSION**

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| In the Matter of Tariff Revisions to Increase Rates Filed by  Company NameEMPIRE DISPOSAL, INC.  Certificate No.Certificate No. G-75 | DOCKET TG-160932  ORDER 01  ORDER ALLOWING TARIFF REVISIONS TO GO INTO EFFECT BY OPERATION OF LAW; REQUIRING MEDICAL TARIFF FILING; REQUIRING GENERAL RATE FILING |

**BACKGROUND**

1. On July 22, 2016, Empire Disposal, Inc. (Empire or Company) filed with the Washington Utilities and Transportation Commission (Commission) Tariff No. 15, which would cancel Tariff No. 14 and increase solid waste disposal service rates. The proposed tariff revisions − prompted by increases in employee wages and benefits, operating expenses, and investment in new assets − would generate approximately $146,000 (5.8 percent) additional annual revenue. The Company’s last general rate increase became effective on August 1, 2013.[[1]](#footnote-1) The Company serves approximately 5,200 customers in Whitman and Spokane Counties.
2. Commission staff (Staff) reviewed the filing and supporting documentation and determined that the Company demonstrated a need for $136,000 (5.3 percent) additional annual revenue. Based on Staff’s adjustments to the salvage value of a number of assets that have been amortized over a three-year period and Empire’s history of filing rate cases every three years, Staff recommends that the Commission direct Empire to file a subsequent general rate case with an effective date of October 1, 2019.[[2]](#footnote-2) The Company agreed to Staff’s proposed revenue requirement and filed revised pages on September 13, 2016. Staff finds the revised rates are fair, just, reasonable, and sufficient.
3. During the course of its review, Staff also found that Empire’s Medical Waste Tariff No. 1 (Medical Waste Tariff) has not been updated since 1998.[[3]](#footnote-3) Staff is concerned that the rates for the Medical Waste Tariff may not be fair, just, reasonable, or sufficient. Accordingly, Staff recommends the Commission direct Empire to file proposed revisions to its Medical Waste Disposal Tariff with an effective date no later than January 1, 2017.
4. On August 31, 2016, the Company notified customers by mail of the proposed rate increase. Staff received two consumer comments opposed to the proposed rate increase.

The customer comments do not change Staff’s opinion that the Company’s financial information supports the revised revenue requirement, and that the revised rates and charges are fair, just, reasonable, and sufficient. Staff’s review shows that the expenses are reasonable and required as part of the Company’s operations.

**DISCUSSION AND DECISION**

1. The Commission agrees with Staff’s recommendation and finds that Empire’s proposed Tariff revisions, as revised on September 13, 2016, are fair, just, reasonable, and sufficient. We also agree that Empire should be required to file revisions to its Medical Waste Tariff with an effective date no later than January 1, 2017, and file a subsequent general rate case with an effective of October 1, 2019.

**FINDINGS AND CONCLUSIONS**

1. (1) The Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property, and affiliated interests of public service companies, including solid waste companies.
2. (2) Empire is a solid waste company and a public service company subject to Commission jurisdiction.
3. (3) This matter came before the Commission at its regularly scheduled meeting on September 22, 2016.
4. (4) The tariff revision presently under consideration is fair, just, reasonable, and sufficient because the Company has demonstrated the need for additional annual revenue and for revision of the Company’s rate structure.
5. (5) After reviewing the revised tariff revision Empire filed in Docket TG-160932 and giving due consideration, the Commission finds it is consistent with the public interest to allow the revised rates and tariff revision filed on September 13, 2016, to become effective on October 1, 2016.
6. (6) Empire should be required to file revisions to its Medical Waste Tariff No. 1 with an effective date no later than January 1, 2017.
7. (7) Empire should be required to file its next general rate case with an effective date of October 1, 2019.

**ORDER**

**THE COMMISSION ORDERS:**

1. (1) The tariff revision filed by Empire Disposal, Inc. in this docket on July 22, 2016, as revised September 13, 2016, shall become effective by operation of law on October 1, 2016.
2. (2) Empire Disposal, Inc. is required to file revisions to its Medical Waste Tariff No. 1 with an effective date no later than January 1, 2017.
3. (3) Empire Disposal, Inc. is required to file its next general rate case with an effective date of October 1, 2019.

DATED at Olympia, Washington, and effective September 22, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Chairman

PHILIP B. JONES, Commissioner

ANN E. RENDAHL, Commissioner

1. In Docket TG-152154, Empire filed proposed tariff revisions to cover the increased cost of disposal fees. A disposal fee increase falls within the definition of a general rate case even though the charge is passed through directly to the customer and the Company does not receive any profit. The Commission’s Order in that docket granted a waiver of certain general rate case filing requirements and approved the 0.25 percent rate increase necessary to cover the cost of the increased disposal fees. [↑](#footnote-ref-1)
2. Dockets TG-101535 and TG-131121 are general rate cases filed by Empire Disposal, Inc. [↑](#footnote-ref-2)
3. Docket TG-981341. [↑](#footnote-ref-3)